



CRL MP(MD) Nos.20093 & 20094 of 2025
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17-12-2025

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

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CRL MP(MD) NOs. 20093 and 20094 of 2025

IN

CRL RC(MD) NO. 1627 of 2025

Kavitha

Petitioner(s)
in both petitions

Vs

N.Dharmalingam

Respondent(s)
in both petitions

For Petitioner(s):

Mr.M.Saravanan

Prayer for Crl.M.P(MD)No.20093/2025:

To pass an order suspending the sentence as imposed on them by means of the Judgment dated 09.10.2025 made in C.A.No.69 of 2024 by the Honourable Principal District and Sessions Judge, Karur District confirming the order of sentence as made in S.T.C.No.735 of 2021 dated 13.03.2024 by the Fast Track Court Magistrate Level, Karur pending disposal of the above Criminal Revision.

Prayer for Crl.M.P(MD)No.20094/2025:

To pass an order exempting the petitioner from surrendering before the Honourable Fast Track Court Magistrate Level, Karur District in connection with the order of confirming conviction and sentence in relation to Crl.A.No.69 of 2024 on the file of Principal District and Sessions Judge, Karur District as against the judgement of conviction and sentence in connection with STC.No.735 of 2021 dated 13.03.2024 on the file of Fast Track Court Magisterial level, Karur pending disposal of the above Criminal Revision Petition.



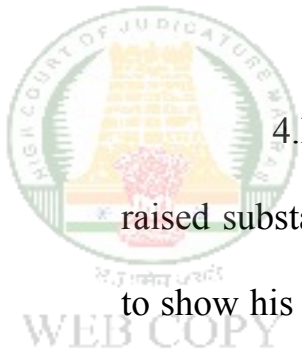
COMMON ORDER

Heard Mr.M.Saravanan, learned Counsel for the petitioner.

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2.Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Fast Track Court Magisterial Level, Karur in S.T.C.No.735 of 2021 dated 13.03.2024, which was confirmed by Principal District and Sessions Judge, Karur District in Crl.A.No.69 of 2024, dated 09.10.2025 and to exempt the petitioner from surrendering before the Court below.

3.Learned counsel for petitioner would submit that petitioner was convicted by Fast Track Court Magistrate Level, Karur for offence under Sections 138 of the Negotiable Instruments Act in S.T.C.No.735 of 2021 dated 13.03.2024 and sentenced him to undergo one year Simple Imprisonment and to pay compensation of Rs.5,00,000/- to respondent within a period of one month, in default, to undergo one month simple imprisonment. Aggrieved, petitioner filed criminal appeal in Crl.A.No.69 of 2024 before Principal District and Sessions Judge, Karur and the lower Appellate Court, by the judgment dated 09.10.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.(MD)No. 1627 of 2025 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.



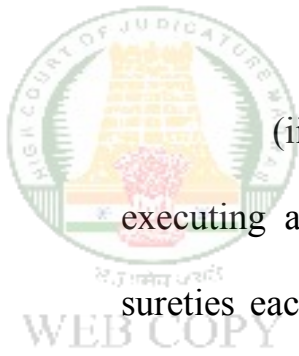
4. Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration; and that to show his bonafides, petitioner is willing to deposit 50% of the cheque amount, before the trial Court. Hence, he prayed for granting suspension of sentence to the petitioner.

5. Considering the fact that there are arguable points raised in revision and taking into consideration, facts and circumstances of the case and that it is likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence, bail and exempt the petitioner from surrendering before the trial court, on the following conditions, till the disposal of the above Criminal Revision:

i) Petitioner is directed to deposit 50% of cheque amount to the credit of S.T.C.No.735 of 2021 dated 13.03.2024 on the file of Fast Track Court Magistrate Level, Karur, within a period of four weeks from the date of receipt of a copy of this order, failing which the sentence suspended shall stand automatically vacated and respondent is at liberty to execute the sentence imposed by the trial Court against the petitioner in the manner known to law;

(ii) Any amount already paid shall be deducted while reckoning 50% of cheque amount directed in clause (i);

¹ Atul Alias Ashutosh vs State of Madhya Pradesh, (2024) 3 SCC 663



(iii) On such deposit, petitioner is directed to be enlarged on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of Fast Track Court Magistrate Level, Karur;

iv) Petitioner and sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity;

v) Petitioner shall appear and sign before Fast Track Court Magistrate Level, Karur, on the first working day of every month at 10.30 a.m., until the disposal of the revision;

vi) In case, if petitioner is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. (corresponding to 355 B.N.S.S) and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

6. Accordingly, these Criminal Miscellaneous Petitions are **ordered**.

17-12-2025

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Note: Issue order copy on 19.12.2025



To

1.The Fast Track Court Magistrate Level, Karur

2.The Principal District and Sessions Judge,
Karur.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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MOHAMMED SHAFFIQ, J

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ORDER
IN
CRL MP(MD). Nos.20093 & 20094 of 2025
in
CRL RC(MD)No.1627 of 2025

Date : 17/12/2025