



CRL MP(MD). Nos.19326 and 19327 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 08/12/2025

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD). Nos.19326 and 19327 of 2025
in
CRL RC(MD)No.1531 of 2025

Chandramohan

... Petitioner

Vs

Arumugachamy

... Respondent

PRAYER CRL MP(MD). No.19326 of 2025:-

To suspend the sentence imposed by the Judgment dated 27.10.2025 made in C.A. No.06/2025 on the file of Additional District and Sessions Judge, Aruppukottai confirming the Judgment dated 12.12.2024 made in CC No.83/2018 on the file of Judicial Magistrate No.2, Virudhunagar, pending disposal of the above Criminal Revision Petition.

PRAYER CRL MP(MD). No.19327 of 2025:-

To exempt the petitioner from surrendering in connection with the judgment dated 27.10.2025 made in C.A.No.06 of 2025 on the file of Additional District and Sessions Judge, Aruppukottai, confirming the judgment dated 12.12.2024 made in C.C.No.83 of 2018 on the file of



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Judicial Magistrate Court, No.2, Virudhunagar, pending disposal of the above Criminal Revision Petition.

For Petitioner : Mr.K.Althaf Sheriff
for M/s.Ajmal Associates,

ORDER

Heard Mr.K.Althaf Sheriff, learned Counsel for the petitioner.

2.These Criminal Miscellaneous Petitions have been filed, praying to suspend the sentence imposed upon petitioner by the learned Judicial Magistrate Court, No.2, Virudhunagar in C.C.No.83 of 2018 dated 12.12.2024, which was confirmed by learned Additional District and Sessions Judge, Aruppukottai, in C.A.No.06 of 2025 dated 27.10.2025 and to exempt the petitioner from surrendering before the Court below.

3.Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate Court, No.2, Virudhunagar for offence under Section 138 of the Negotiable Instruments Act in C.C.No.83 of 2018 dated 12.12.2024 and sentenced him to undergo one year Simple Imprisonment and to pay compensation of Rs.6,00,000/- to the



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respondent, in default, to undergo six months simple imprisonment.

Aggrieved, petitioner filed criminal appeal in C.A.No.06 of 2025 before Additional District and Sessions Judge, Aruppukottai, and the lower Appellate Court, by judgment dated 27.10.2025, dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed CrI.R.C.(MD)No.1531 of 2025 before this Court along with 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 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 and exempt

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



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the petitioner from surrendering before 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 C.C.No.83 of 2018 dated 12.12.2024, on the file of learned Judicial Magistrate Court, No.2, Virudhunagar, after deducting amount, if any already paid, towards the said cheque, 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 Judicial Magistrate Court, No.2, Virudhunagar is at liberty to execute the sentence imposed 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);

(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 the learned Judicial Magistrate Court, No.2, Virudhunagar;

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;



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v) Petitioner shall appear and sign before learned Judicial Magistrate Court, No.2, Virudhunagar, 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, this Criminal Miscellaneous Petition is **ordered**.

08-12-2025

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Note: Issue order copy on 26.12.2025



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MOHAMMED SHAFFIQ, J

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To

- 1.The Additional District and Sessions Judge, Aruppukottai.
2. The Judicial Magistrate No.2, Virudhunagar.

ORDER
IN
CRL MP(MD). Nos.19326 and 19327 of 2025
in
CRL RC(MD)No.1531 of 2025

Date : 08/12/2025