



CRL MP(MD) NOs. 18909 and 18911 of 2025
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02-12-2025

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

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CRL MP(MD) NOs. 18909 and 18911 of 2025

IN

CRL RC(MD) NO. 1497 OF 2025

Manimaran

Petitioner(s)
in both petitions

Vs

Regupathi

Respondent(s)
in both petitions

For Petitioner(s):

Ms.Muthulakshmi V

Prayer for Crl.M.P(MD)No.18909/2025:

To suspend the sentence imposed upon him in STC No.784/2018 on the file of the learned District Munsif cum Judicial Magistrate, Papanasam, Thanjavur District dated 28.08.2023, which had been confirmed in Crl.A.No.216/2023 on the file of the learned Additional District and Sessions Judge, Fast Track Court, Kumbakonam, Thanjavur District by judgment dated 27.10.2025 pending disposal of the main criminal revision petition.

Prayer for Crl.M.P(MD)No.18911/2025:

To exempt the petitioner from surrender pursuant to the conviction and sentence imposed upon him in STC No.784/2018 on the file of the learned District Munsif cum Judicial Magistrate, Papanasam, Thanjavur District dated 28.08.2023, which had been confirmed in Crl.A.No.216/2023 on the file of the learned Additional District and Sessions Judge, Fast Track Court, Kumbakonam, Thanjavur District by judgment dated 27.10.2025 pending disposal of the main criminal revision petition.



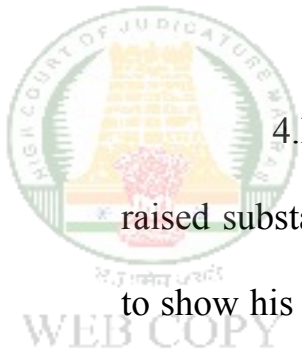
COMMON ORDER

Heard Ms.V.Muthulakshmi 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 District Munsif cum Judicial Magistrate, Papanasam, Thanjavur District in S.T.C.No.784 of 2018 dated 28.08.2023, which was confirmed by Additional District and Sessions Judge (FTC), Kumabkonam, Thanjavur District in Crl.A.No.216 of 2023, 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 District Munsif cum Judicial Magistrate, Papanasam, Thanjavur District for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.784 of 2018 dated 28.08.2023 and sentenced him to undergo six months Simple Imprisonment and to pay compensation of Rs.5,00,000/- to respondent. Aggrieved, petitioner filed criminal appeal in Crl.A.No.216 of 2023 before Additional District and Sessions Judge (FTC), Kumabkonam, Thanjavur District and the lower Appellate Court, by the judgment dated 27.10.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.(MD)No.1497 of 2025 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, exemption from surrender and bail.



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.

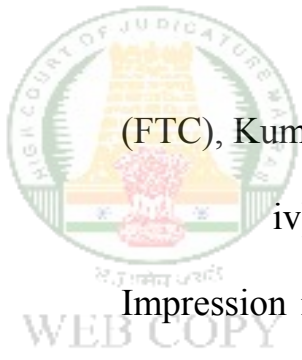
5. Considering the fact that there are arguable points raised in revision and taking into consideration, facts and circumstances of the case and that it is likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence and exempt the petitioner from 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.784 of 2018 dated 28.08.2023 on the file of District Munsif cum Judicial Magistrate, Papanasam, Thanjavur District, 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);

(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 Additional District and Sessions Judge

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



(FTC), Kumbakonam, Thanjavur District;

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 Additional District and Sessions Judge (FTC), Kumbakonam, Thanjavur District, on the first working day of every month at 10.30 a.m., until the disposal of the revision;

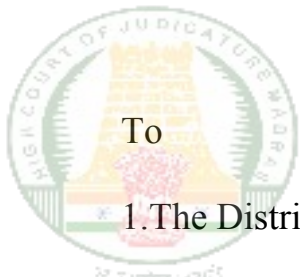
vi) In case, if petitioner is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. (corresponding to 355 B.N.S.S) and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the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

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

02-12-2025

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Note: Issue order copy on 10.12.2025



To

1.The District Munsif cum Judicial Magistrate, Papanasam, Thanjavur District,

2.The Additional District and Sessions Judge,
Fast Track Court,
Kumbakonam, Thanjavur District.

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