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CRL MP(MD) NO. 19662 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11-12-2025

CORAM

THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) NO. 19662 of 2025

IN

CRL RC(MD) NO. 1575 OF 2025

Vani

Petitioner(s)

Vs

Arumugam

Respondent(s)

For Petitioner(s):

Mr.P.Ganapathi Subramanian

Prayer:

To suspend the order of conviction dt. 10.11.2025 in Crl.A. No. 84 of 2023 on the file of the Learned Principal District and Sessions Judge, Pudukottai wherein confirmed the judgment of the learned Judicial Magistrate No.1, Pudukottai dt. 27.06.2023 in S.T.C.No.420 of 2022 pending disposal of this criminal revision case.

ORDER

Heard Mr.P.Ganapathi Subramanian learned Counsel for the petitioner.



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2.Criminal Miscellaneous Petition has been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate No.I, Pudukottai in S.T.C.No.420 of 2022 dated 27.06.2023, which was confirmed by Principal District and Sessions Judge, Pudukkottai in CrI.A.No.84 of 2023, dated 10.11.2025.

3.Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate No.I, Pudukottai for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.420 of 2022 dated 27.06.2023 and sentenced her to undergo six months Simple Imprisonment and to pay compensation of Rs.15,00,000/- to respondent. Aggrieved, petitioner filed criminal appeal in CrI.A.No.84 of 2023 before Principal District and Sessions Judge, Pudukkottai and the lower Appellate Court, by the judgment dated 10.11.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed CrI.R.C.(MD)No.1575 of 2025 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail.



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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 her 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, 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.420 of 2022 dated 27.06.2023 on the file of Judicial Magistrate No.I, Pudukottai, 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;

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



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(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 her 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 Judicial Magistrate No.I, Pudukkottai;

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 Judicial Magistrate No.I, Pudukkottai, 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, she 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 her absence, as directed by the trial Court.



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6. Accordingly, this Criminal Miscellaneous Petition is ordered.

11-12-2025

LR

Note: Issue order copy on .12.2025

To

1. The Judicial Magistrate No.I, Pudukkottai.