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CRL MP(MD) NO. 20084 of 2025
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17-12-2025

CORAM

THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) No.20084 of 2025

IN

CRL RC(MD) No.1624 of 2025

N. Mageshkumar
S/o. M.D. Narayanaswamy

Petitioner(s)

Vs

T.Senthilkumar
S/o. Thangaraj

Respondent(s)

For Petitioner(s):

Mr.A.P.Kannan

Prayer for Crl.M.P(MD)No.20084/2025:

To Suspend the sentence confirmed by the Learned District and Sessions Judge, Karur in Criminal Appeal No.218/2024 dated 13.08.2025.

ORDER

Heard Mr.A.P.Kannan, learned Counsel for the petitioner.



2.Criminal Miscellaneous Petition has been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate No.II, Kulithalai in S.T.C.No. 218 of 2022 dated 03.10.2024, which was confirmed by District and Sessions Judge, Karur in CrI.A.No.218 of 2024, dated 13.08.2025.

3.Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate No.II, Kulithalai for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.218 of 2022 dated 03.10.2024 and sentenced him to undergo six months simple imprisonment and to pay compensation of Rs.5,00,000/- to respondent, in default, to undergo simple imprisonment for two months. Aggrieved, petitioner filed criminal appeal in CrI.A.No.218 of 2024 before District and Sessions Judge, Karur District and the lower Appellate Court, by the judgment dated 13.08.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed CrI.R.C.(MD)No.1624 of 2025 before this Court along with the instant miscellaneous petitions seeking suspension of sentence 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 bail, 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.218 of 2022 dated 03.10.2024 on the file of Judicial Magistrate No.II, Kulithalai, 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 Judicial Magistrate No.II, Kulithalai;

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;

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



v) Petitioner shall appear and sign before Judicial Magistrate No.II, Kulithalai, 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**.

17-12-2025

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Note: Issue order copy on 19.12.2025



To

1.The Judicial Magistrate No.II, Kulithalai

2.The 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). No.20084 of 2025
in
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Date : 17/12/2025
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