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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11-12-2025

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) NOs. 19712 and 19714 of 2025

IN

CRL RC(MD) NO. 1585 OF 2025

V. Sethuraman

Petitioner(s)
for both cases

Vs

S.Arumugam

Respondent(s)
for both cases

For Petitioner(s):

Mr.T.Antony Arulraj
for both cases

Prayer for CRL MP(MD) NO. 19712 of 2025:

To Suspend the Sentence imposed on Petitioner vide judgment made in CC No.134/2017 on the file of the Learned Fast Track Court (at Magisterial Level), Karur dated 28.04.2023 which is confirmed by the Learned District and Sessions Judge, Karur in C.A.No.83/2023 by judgment dated 01.11.2025 and enlarge the petitioner on bail pending disposal of the above criminal revision case.

Prayer for CRL MP(MD) NO. 19714 of 2025:

To Grant Exemption to the petitioner from surrendering before



the concerned Trial Court pursuant to the judgment conviction made in CC No.134 of 2017 on the file of the Learned Judicial Magistrate, Fast Track Court (at Magisterial Level), Karur dated 28.04.2023 which is confirmed by the learned District and Sessions Court, Karur in C.A.No. 83/2023 by judgment dated 01.11.2023 pending disposal of the above criminal revision petition.

COMMON ORDER

Heard Mr.T.Antony Arulraj learned Counsel for the petitioner.

2.Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate, Fast Track Court (at Magisterial Level), Karur in C.C.No.134 of 2017 dated 28.04.2023, which was confirmed by District and Sessions Judge, Karur in Crl.A.No.83 of 2023, dated 01.11.2025 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, Fast Track Court (at Magisterial Level), Karur for offence under Section 138 of the Negotiable Instruments Act in C.C.No.134 of 2017 dated 28.04.2023 and sentenced



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him to undergo one year Simple Imprisonment and to pay compensation of Rs.4,50,000/- to respondent. Aggrieved, petitioner filed criminal appeal in CrI.A.No.83 of 2023 before District and Sessions Judge, Karur and the lower Appellate Court, by the judgment dated 01.11.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed CrI.R.C.(MD)No.1585 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



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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 C.C.No.134 of 2017 dated 28.04.2023 on the file of Judicial Magistrate, Fast Track Court (at Magisterial 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);

(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, FTC (at Magisterial Level), Karur;**

iv) Petitioner and sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain

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



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a copy of their Aadhaar card or Bank pass Book to ensure their identity;

v) Petitioner shall appear and sign before **Judicial Magistrate, FTC (at Magisterial 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.**

11-12-2025

LR

Note: Issue order copy on .12.2025

To

The Judicial Magistrate, FTC (at Magisterial Level), Karur