



CRL MP(MD) NOs.20159 and 20161 of 2025
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17-12-2025

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

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CRL MP(MD) Nos. 20159 and 20161 of 2025

IN

CRL RC(MD) No. 1634 OF 2025

V. Ramalingam

Petitioner(s)
in both petitions

Vs

P. Gunasekaran

Respondent(s)
in both petitions

For Petitioner(s):

Mr.K.Guhan

Prayer for Crl.M.P(MD)No.20159/2025:

To suspend the sentence imposed in C.C.No.621 of 2018 on the file of the Learned Fast Track Court, Judicial Magistrate at Judicial Magistrate Level), Karur, dated 28.02.2024 which was confirmed by the District and Sessions Judge, Karur in Criminal Appeal No.51 of 2024 dated 24.09.2025, pending disposal of the above Criminal Revision Petition.

Prayer for Crl.M.P(MD)No.20161/2025:

To exempt the petitioner from surrendering in C.C.No.621 of 2018 on the file of the Learned Fast Track Court Judicial Magistrate(at Judicial Magistrate Level), Karur, dated 28.02.2024 which was confirmed by the District and Sessions Judge, Karur in Criminal Appeal No.51 of 2024 dated 24.09.2025, pending disposal of the above Criminal Revision Petition.



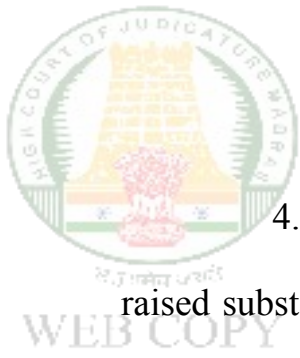
COMMON ORDER

Heard M/s.K.Guhan 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 Fast Track Court (Magisterial Level), Karur in C.C.No.621 of 2018 dated 28.02.2024, which was confirmed by District and Sessions Judge, Karur in CrI.A.No.51 of 2024, dated 24.09.2025 and to exempt the petitioner from surrendering before the Court below.

3.Learned counsel for petitioner would submit that petitioner was convicted by Fast Track Court (Magisterial Level), Karur for offence under Section 138 of the Negotiable Instruments Act in C.C.No.621 of 2018 dated 28.02.2024 and sentenced him to undergo one year Simple Imprisonment and to pay compensation of Rs.7,50,000/- to respondent, within a period of one month, in default, to undergo one month simple imprisonment. Aggrieved, petitioner filed criminal appeal in CrI.A.No.51 of 2024 before District and Sessions Judge, Karur and the lower Appellate Court, by the judgment dated 24.09.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed CrI.R.C.(MD)No.1634 of 2025 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.



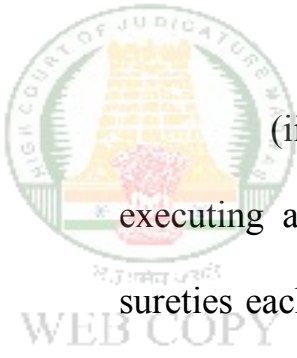
4.Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration; and that to show his bonafides, petitioner is willing to deposit 50% of the cheque amount, before the trial Court. Hence, he prayed for granting suspension 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 heard¹, this Court is inclined to grant suspension of sentence, bail 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.621 of 2018 dated 28.02.2024 on the file of Fast Track Court (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);

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



(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 Fast Track Court (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 a copy of their Aadhaar card or Bank pass Book to ensure their identity;

v) Petitioner shall appear and sign before Fast Track Court (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.

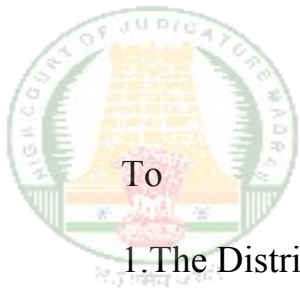
6. Accordingly, these Criminal Miscellaneous Petitions are **ordered**.

17-12-2025

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Note: Issue order copy on 26.12.2025



To

1. The District and Sessions Judge, Karur

2. The Fast Track Court (Magisterial Level) 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
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in
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Date : 17/12/2025
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