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Crl.M.P.No.489 of 2026
in Crl.R.C.No.77 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2026

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

**Crl.M.P.No.489 of 2026
in Crl.R.C.No.77 of 2026**

D. Sathyanarayanan

...Petitioner

-VS-

V. Raja

...Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 438 of BNSS, to suspend the sentence of 6 months of simple imprisonment passed in C.C.No.7968 of 2018 dated 13.03.2024 by the learned Metropolitan Magistrate, Fast Track Court, II, Egmore @ Allikulam, Chennai-3 pending disposal of the above Criminal Revision Case.

For Petitioner : Mr.S.Selvaraj

ORDER



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2. It is the case of the respondent that the petitioner had issued a cheque for a sum of Rs.4,50,000/- towards discharge of liability; that when the said cheque was presented for collection, it was returned stating 'Funds Insufficient'; that in spite of the statutory notice, the petitioner did not make the payment; and hence liable for the said offence.

3.

4. Heard the learned counsel for the petitioner and perused the



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materials available on record.

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5. Having regard to the submission made by the learned counsel for the petitioner that there are substantial grounds raised in the above revision which require consideration, and the fact that the petitioner is willing to deposit 40% of the cheque amount, this Court is inclined to suspend the sentence imposed on the petitioner, subject to the following conditions:

(i) The petitioner/Accused shall deposit 40% of the cheque amount to the credit of C.C.No.7968 of 2018 on the file of learned Metropolitan Magistrate, Fast Track Court - II, Egmore @ Allikulam, Chennai - 3, within a period of four weeks from the date of receipt of a copy of this order;

(ii) On such deposit being made, the Trial Court shall redeposit the said amount in a Fixed Deposit Account, in any one of the Nationalized Banks, renewable thereafter periodically. The disbursal of this amount shall be decided at the culmination of the Criminal Revision Case;

(iii) Thereafter, the sentence of imprisonment alone imposed on the petitioner/Accused shall be suspended, on him executing a bond for a sum of Rs.10,000/- with two sureties



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each for a likesum to the satisfaction of the learned
Metropolitan Magistrate, Fast Track Court - II, Egmore @
Allikulam;

(iv) The petitioner and the sureties shall affix their
photographs and Left Thumb Impression in the surety bond and
the Trial Court may obtain a copy of their Aadhar card or Bank
pass Book and mobile numbers to ensure their identity;

(v) The petitioner shall appear before the Trial Court on
the first working day of every month at 10.30 a.m. until the
disposal of the revision and if she 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., 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; and

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SUNDER MOHAN, J.

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To

- 1.The II Additional City Civil Court,
Chennai.
- 2.The Metropolitan Magistrate,
- 3.The Public Prosecutor,
High Court, Madras.

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