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Crl.M.P. Nos. 1467 & 1468 of 2026
in
Crl.R.C. No. 211 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2026

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

Crl.M.P.Nos.1467 & 1468 of 2026
in
Crl.R.C.No.211 of 2026

Mopuri Srinivas Kiran,
S/o. Venkata Reddy Naidu,
D.No.1-156, Sunkarapalem,
Tallarevu Mandal, East Godavari District,
K.J.C.J.C.

..Petitioner

Vs.

Peddireddy Rajasakhar Ravou,
S/o. Ganeswaraa Rao,
No.22, Le Pare Petit Bourg,
France.
Presently Residing at
No.3-4019, Thyagaraja Veedhi,
Yanam – 533 464.

..Respondent

PRAYER in Crl.M.P.No.1467 of 2026: Criminal Miscellaneous Petition filed under Section 430(1) of BNSS, praying to suspend the sentence imposed on the petitioner in S.T.C. No. 19 of 2020 by judgment dated 19.02.2025 by the learned Judicial Magistrate, Yanam and confirmed in



Crl.M.P. Nos. 1467 & 1468 of 2026
in
Crl.R.C. No. 211 of 2026

Criminal Appeal No. 13 of 2025 by judgment dated 19.12.2025 by the learned Principal Sessions Judge, Puducherry and release the petitioner on bail pending disposal of the above criminal revision.

PRAYER in Crl.M.P.No.24349 of 2025: Criminal Miscellaneous Petition filed under Section 528 of BNSS, praying to exempt the petitioner from surrendering before the Trial Court pursuant to the judgment dated 19.02.2025 in S.T.C. No. 19 of 2020 on the file of Judicial Magistrate, Yanam confirmed by judgment dated 19.12.2025 in Crl.A. No. 13 of 2025 by the learned Principal Sessions Judge, Puducherry, pending disposal of the above criminal revision.

For Petitioner : Mr.A. Ramaswamy

COMMON ORDER

The petitioner has preferred the above revision challenging the judgment dated 19.12.2025 passed by the learned Principal Sessions Judge, Puducherry in Crl.A.13 of 2025 confirming the judgment of the learned Magistrate convicting the petitioner for the offence under Section 138 of the Negotiable Instruments Act, and sentencing him to undergo six months simple imprisonment and to pay compensation of Rs.5,50,000/-, in default,



Crl.M.P. Nos. 1467 & 1468 of 2026
in
Crl.R.C. No. 211 of 2026

to undergo further simple imprisonment for two months. The instant petitions have been filed to suspend the sentence imposed on the petitioner and to exempt the petitioner from surrendering before the Trial Court, pending disposal of the above revision.

2. It is the case of the respondent that the petitioner had issued a cheque for a sum of Rs.2,75,000/- towards discharge of liability; that when the said cheque was presented for collection, it was returned for the reason 'Funds Insufficient'; that in spite of the statutory notice, the petitioner did not make the payment; and hence liable for the said offence.

3. The learned counsel for the petitioner would submit that the petitioner has raised substantial grounds in the above revision; that the petitioner has rebutted the statutory presumption; that the judgment of the Courts below are liable to be set aside; and that, to show his bona fides, the petitioner is willing to deposit a sum of Rs.1,75,000/-.



WEB COPY



Crl.M.P. Nos. 1467 & 1468 of 2026
in
Crl.R.C. No. 211 of 2026

4. Heard the learned counsel for the petitioner and perused the materials available on record.

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 1,75,000/-, this Court is inclined to grant suspension of sentence and exempt the petitioner from surrendering before the Trial Court, pending disposal of the revision, subject to the following conditions:

(i) The petitioner is ordered to be enlarged on bail, on condition that the petitioner shall deposit a sum of Rs.1,75,000/- (Rupees One Lakh and Seventy Five Thousand only) to the credit of S.T.C. No. 19 of 2020 on the file of learned Judicial Magistrate, Yanam, 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



Crl.M.P. Nos. 1467 & 1468 of 2026
in
Crl.R.C. No. 211 of 2026

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 his executing a bond a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of the Trial Court.

(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 a month at 10.30 a.m., until the disposal of the revision and if he is not able to appear before the Trial Court on that day, he shall make arrangements to file an application under Section 317 Cr.P.C., and shall appear before the Trial Court on any



Crl.M.P. Nos. 1467 & 1468 of 2026
in
Crl.R.C. No. 211 of 2026

SUNDER MOHAN, J.

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other day in lieu of the date of his absence as directed by
the Trial Court.

(vi) On the failure of the petitioner/accused, depositing
the above said amount, it is open to the Trial Court to
commit the petitioner/accused into custody for
undergoing the sentence.

6. Accordingly, these Criminal Miscellaneous Petitions are
ordered.

02.02.2026
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To

1. The Principal Sessions Judge, Puducherry.
2. The Judicial Magistrate, Yanam.

Crl.M.P.Nos.1467 & 1468 of 2026
in
Crl.R.C. No. 211 of 2026