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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

**Crl.M.P.Nos.3023 and 3026 of 2026
in Crl.R.C.No.392 of 2026**

1. M/s.Chinnamman Road Tech
Private Limited, Represented by
its managing director S.D.Ramasamy,
No.678, Chennimalai Road,
Perundurai - 638 052. Erode District.
2. S.D.Ramasamy (Managing Director)
S/o.Deivasigamani Gounder,
Saravambathi, Ingur, Ingur Post,
Perundurai Taluk.
3. R.Sasikala (Director)
W/o.S.D.Ramasamy, Saravambathi, Ingur,
Ingur Post, Perundurai Taluk.
- D.Kaliammal (Died)
4. P.Janaki (Director)
W/o.P.Palanisamy,
Saravambathi Ingur,
Ingur Post, Perundurai Taluk.

..Petitioner(s) in both
Crl.MPs

Vs

Sadasivam
S/o.Chengalvarayar, 399, Nasiyanur Road,
Erode-1.

..Respondent(s) in both
Crl.MPs



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CRL MP No. 3023 of 2026

To suspend the sentence of Imprisonment imposed on the petitioners 2 to 4 in the Judgment dated 20.06.2025 made in Crl.A.No.363 of 2018 on the file of the learned First Additional Sessions Court, Erode, Erode District, confirming the conviction and sentence imposed in Judgment dated 20.08.2018 made in STC.No.309 of 2016 on the file of the learned Judicial Magistrate, Fast Track Court No.2, Erode and enlarge the petitioners on bail pending disposal of the above Criminal Revision Petition before this Court.

CRL MP No. 3026 of 2026

To grant an order of exemption from surrendering before the trial court pursuant to the Judgment dated 20.06.2025 made in Crl.A.No.363 of 2018 on the file of the learned First Additional Sessions Court, Erode, Erode District confirming the conviction and sentence imposed in Judgment dated 20.08.2018 made in STC.No.309 of 2016 on the file of the learned Judicial Magistrate, Fast Track Court No.2, Erode pending disposal of the above Criminal Revision Petition before this Court.

For Petitioner(s): Mr.N.S.Suganthan

COMMON ORDER

The petitioners have preferred the above revision challenging the judgment passed by the learned I Additional Sessions Court, Erode, in Crl.A.No.363 of 2018 dated 20.06.2025, confirming the judgment of the learned Magistrate convicting the petitioners 2 to 4 for the offence under Section 138 of the Negotiable Instruments Act, and sentenced them to undergo 1 year S.I and



to pay fine of Rs.3,000/-each, I/d. to undergo further 3 months S.I. The instant petitions have been filed to suspend the sentence imposed on the petitioners and to exempt them from surrendering before the Trial Court, pending disposal of the above revision.

2. It is the case of the respondent that the petitioners had issued two cheques for Rs.1,00,000/- and Rs.50,000/- towards discharge of liability; that when the said cheques were presented for collection, it were returned for the reason 'Funds Insufficient'; that in spite of the statutory notice, the petitioners did not make the payment; and hence liable for the said offence.

3. The learned counsel for the petitioners would submit that the petitioners have raised substantial grounds in the above revision; that the petitioners have rebutted the statutory presumption; that the judgment of the Courts below are liable to be set aside; and that, to show their bona fides, the petitioners are willing to deposit a sum of Rs.75,000/- to the credit of the S.T.C.No.309 of 2016 and prayed for suspension of sentence.

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

5. Having regard to the submission made by the learned counsel for the petitioners that there are substantial grounds raised in the above revision which



require consideration, and the fact that the petitioners are willing to deposit Rs.75,000/-, this Court is inclined to grant suspension of sentence and exempt the petitioners from surrendering before the Trial Court, subject to the following conditions:

(i) The petitioners/accused shall deposit a sum of Rs.75,000/- to the credit of S.T.C.No.309 of 2016 on the file of the learned Judicial Magistrate, Fast Track Court No.2, Erode, 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 petitioners/accused shall be suspended, on them executing a bond separate bond for a sum of Rs.10,000/-, with two sureties each for a likesum to the satisfaction of the learned Judicial Magistrate, Fast Track Court No.2, Erode.

(iv) The petitioners 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 petitioners 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 they are not able to appear before the Trial Court on any day, they 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 their absence as directed by the Trial Court.

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

6. Accordingly, these Criminal Miscellaneous Petitions are ordered.

20-02-2026
(2/2)

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1. The First Additional Sessions Court, Erode, Erode District

2. The Judicial Magistrate, Fast Track Court No.2, Erode



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Crl.M.P.Nos.3023 and 3026 of 2



SUNDER MOHAN J.

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