



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL MP Nos. 6819 & 6821 of 2026

IN

CRL RC NO. 876 OF 2026

M.P.Ranjan kumar
S/o.Pushparaj,
New No.52, Old No.28,
Model School Road,
LM Tower,
2nd Floor,
Thousand Lights,
Chennai-600 006.

..Petitioner(s)

Vs

Syed Sanaullah Bahmani
Proprietor of Poseidon Ship Stores (India),
No.9, Old No.5,
Pachaiappa Street,
Chennai-600 002.

..Respondent(s)

PRAYER in CrI.M.P.No.6819 of 2026: Criminal Miscellaneous Petition filed under Section 430(1) & (2) of BNSS, to suspend the sentence and conviction passed by Honble II Additional Sessions Judge, City Civil Court, at Chennai in C.A.No.581/2025 dated 03.01.2026, dismissing the appeal and confirming the order of learned XIX Metropolitan Magistrate, Egmore @ Allikulam, Chennai dated 15.04.2025 in C.C.No.4298/2013 and convicting the petitioner for the offence u/s.138 of the Negotiable Instruments Act and enlarge the petitioner on bail till the disposal of the revision.

PRAYER in CrI.M.P.No.6821 of 2026: Criminal Miscellaneous Petition filed under Section 528 of BNSS, to pass an order of exemption of surrender of the



petitioner before the learned XIX Metropolitan Magistrate, Egmore @ Allikulam, Chennai in C.C.No.4298/2013 order dated 15.04.2025 in pursuance with the order of dismissal passed in the Criminal Appeal filed by the petitioner in CrI.A.No.581 of 2025 passed by the learned II Additional Sessions Judge, City Civil Court, at Chennai District dated 03.01.2026.

For Petitioner(s): Mr.V.Govardhanan for
Mr.V.Achuthanandan

ORDER

The petitioner has preferred the above revision challenging the judgment dated 03.01.2026 passed by the learned II Additional Sessions Judge, City Civil Court, Chennai – 104, in CrI.A.No.581 of 2025, confirming the judgment of the learned Magistrate convicting the petitioner for the offence under Section 138 of the Negotiable Instruments Act, and sentenced him to undergo one year S.I. and to pay compensation of Rs.50,00,000/-, i.d. to undergo further S.I. 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.50,00,000/- 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 their bona fides, the petitioner is willing to deposit 50% of the cheque amount.

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 50% of the cheque amount, this Court is inclined to grant suspension of sentence and exempt the petitioner from surrendering before the Trial Court, subject to the following conditions:

(i) The petitioner are ordered to be enlarged on bail, on condition that the petitioner shall deposit 50% of the cheque amount to the credit of C.C.No.4298 of 2013 on the file of the learned XIX Metropolitan Magistrate Court, Egmore, at Allikulam, Chennai, **on or before 29.05.2026.**

(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 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 other day in lieu of the date of their 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.



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6. Accordingly, these Criminal Miscellaneous Petitions are ordered. Call the matter on **01.06.2026**.

17-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

DRL

To

1. The II Additional Sessions Judge,
City Civil Court, Chennai.
2. The XIX Metropolitan Magistrate Court,
Egmore, at Allikulam, Chennai.



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C.KUMARAPPAN, J.

DRL

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(2/2)**

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