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Crl.M.P.No.2438 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2026

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

**Crl MP No. 2438 of 2026
and Crl.R.C.No.331 of 2026**

1. M/s. Arudaavis Labs Private Limited,
Rep.by its Managing Director cum President,
Subramanian Arumugam,
S/o. Subramanian,
Cennivakkam Village, Ponneri Taluk,
Thiruvallur District.

2. Subramanian Arumugam

3. Devayani

...Petitioner(s)

Vs

Dhanajaya Naidu

...Respondent(s)

PRAYER: Criminal Miscellaneous Petition is filed under Section 430(1) and 483 of BNSS, 2023, to suspend the sentence imposed on them in Judgment made in STC.No.1682 of 2017 dated 20.02.2017 passed by learned Judicial Magistrate-I, Ponneri is confirmed in C.A.No.19 of 2020 dated 27.11.2025 by the learned IV Additional Sessions Judge, Ponneri, Thiruvallur District.

For Petitioner(s): Mr.S.Sasikumar

ORDER



, pending disposal of the
Criminal Revision Case.

2. It is the case of the respondent that the 1st petitioner is M/s.Arudaavis Labs Private Limited Company and petitioners 2 and 3 are the Managing Director-cum-President and Director-cum-Authorized Signatory of the said Company; that the 3rd petitioner as Authorized Signatory of the 1st petitioner Company, had issued two cheques for total sum of Rs.5,00,000/-, towards discharge of liability; that when the said cheques were presented for collection, it was returned stating '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 2 and 3 are willing to deposit 50% of the cheque amount;



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

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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 2 and 3 are willing to deposit 50% of the cheque amount, this Court is inclined to suspend the sentence imposed on the petitioners, subject to the following conditions:

(i) The petitioners/Accused shall deposit 50% of the cheque amount to the credit of STC.No.1682 of 2017 on the file of the learned Magistrate-I, Ponneri, Thiruvallur District, 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 their executing a bond each for a sum of Rs.10,000/- with two sureties, each for a likesum to the satisfaction of the learned Judicial Magistrate-I, Ponneri, Thiruvallur District;



(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; and

13-02-2026

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



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SUNDER MOHAN J.
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To

1. The IV Additional Sessions Judge, Ponneri, Thiruvallur District.
2. The Judicial Magistrate-I, Ponneri, Thiruvallur District.

**Crl MP No. 2438 of 2026
and Crl.R.C.No.331 of 2026**

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