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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL MP Nos. 6790 & 6792 of 2026

IN

CRL RC NO. 873 OF 2026

T. Rajendran
Sole Proprietor
M/s.Sri Senthil Steel Company,
Having Office at
No.75/132, Kannaiyan Street,
(Opp.KSS Mahal),
Thirunagar Colony,
Erode - 638 003.

..Petitioner(s)

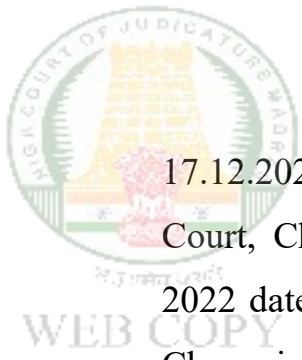
Vs

M/s. Jaith Steel
Rep.by its
Managing Partner Akbar Ali,
New No.45, Old No.24, Venkata Maistry Street,
G Block, 2nd Floor, Mannady,
Chennai - 600 001.

..Respondent(s)

PRAYER in Crl.M.P.No.6790 of 2026: Criminal Miscellaneous Petition filed under Section 438(1) r/w 485 of BNSS, to suspend the sentence of imprisonment imposed in the Judgment dated 17.12.2025 in C.A.No.845 of 2024 on the file of the XVI Additional City Civil Court, Chennai, confirming the conviction and sentence in STC.No.2532 of 2022 dated 07.10.2024 on the file of the Metropolitan Magistrate FTC-IV, George Town, Chennai.

PRAYER in Crl.M.P.No.6792 of 2026: Criminal Miscellaneous Petition filed under Section 528 of BNSS, praying to To grant an order of exemption from surrendering before the trial court in pursuance to the Judgment dated



17.12.2025 in C.A.No.845 of 2024 on the file of the XVI Additional City Civil Court, Chennai. confirming the conviction and sentence in STC.No.2532 of 2022 dated 07.10.2024 on the file of the Metropolitan FTC-IV, George Town, Chennai.

For Petitioner(s): J.Ranjithkumar

COMMON ORDER

The petitioner has preferred the above revision challenging the judgment dated 17.12.2025 passed by the learned XVI Additional City Civil Court, Chennai, in Crl.A.No.845 of 2024, 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 five months S.I. and to pay compensation of Rs.10,00,000/- along with 3% per annum i.d. to undergo further S.I. for two weeks. 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.10,00,000/- towards discharge of liability; that when the said cheque was presented for collection, it was returned for the reason 'Exceeds Arrangement'; 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 STC.No.2532 of 2022 on the file of the learned Metropolitan Magistrate, Fast Track Court at Magisterial Level – IV, George Town, Chennai – 01, **on or before 18.05.2026.**

(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.



6. Accordingly, these Criminal Miscellaneous Petitions are ordered. Call the matter on **12.06.2026**.

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

DRL

To

1.The XVI Additional City Civil Court,
Chennai.

2.The Metropolitan Magistrate, FTC-IV,
George Town, Chennai.



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C.KUMARAPPAN, J.

DRL

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(2/2)

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