



WEB COPY

CRL MP No. 5574 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 27-03-2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL MP Nos. 5574 & 5575 of 2026**

**in**

**CRL RC NO. 730 OF 2026**

1. M/s.Micro Steels,
2. D.Sheik Dawood  
Partner of Micro Steels,
3. Bhuto  
Partner of Micro Steels,  
Having Office at  
No. 659, E.M.T.H. Road,  
Mannurpet, Chennai 600 050.

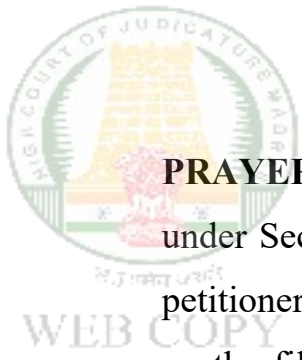
..Petitioners in both  
Crl.M.Ps.

Vs

M/s. Bombay Hardware Private Limited Company,  
Rep. by Managing Director, Veera J Metha,  
Duly Authorised his Power of Attorney Agent,  
Mr.R.Sampath, Sales Manager,  
S/o.P.Ramachandran,  
No.32, Sembudoss Street,  
Chennai 600 001.

..Respondent in both  
Crl.M.Ps.

**PRAYER in Crl.M.P.No.5574 of 2026:** Criminal Miscellaneous Petition filed under Section 528 of B.N.S.S, to pass and suspending the sentence imposed by the learned Metropolitan Magistrate, Fast Track Court No.IV, George Town, Chennai in C.C.No.1281/2016 dated 09.10.2023, confirmed by the learned XV Additional Sessions Judge, City Civil Court at Chennai in C.A.No. 662/2023 dated 29.01.2026 and enlarge the petitioners on bail pending disposal of the above revision.



**PRAYER in Crl.M.P.No.5575 of 2026:** Criminal Miscellaneous Petition filed under Section 528 of B.N.S.S, to pass an order exempting the surrender of the petitioners in pursuance to the order dated 29.01.2026 in C.A.No.662 of 2023 on the file of the learned XV Additional Sessions Judge, City Civil Court, at Chennai confirming the order passed by the learned Metropolitan Magistrate, Fast Track Court No. IV, George Town, Chennai in C.C.No.1281 of 2016 by order dated 09.10.2023.

For Petitioners:

Mr.R.Rajasekaran

### **ORDER**

The petitioners have preferred the above revision challenging the judgment dated 29.01.2026 passed by the learned XV Additional Sessions Judge, City Civil Court, Chennai in C.A.No. 662/2023, whereby, the judgment of the learned Metropolitan Magistrate, Fast Track Court No. IV, George Town, Chennai, in C.C.No.1281 of 2016 dated 09.10.2023, was confirmed and the appeal was dismissed. The petitioners 1 to 3 are found guilty of offence under Section 138 of the Act and first petitioner is sentenced to pay a fine of Rs.71,34,473/- to the complainant as compensation under Section 357(1) of Cr.P.C. and the second and third petitioners are convicted and sentenced to undergo a simple imprisonment of three months and each to pay a fine of Rs.25,000/- and on payment to be paid to the complainant as compensation under Section 357(1) of the Cr.P.C.



2. The instant petitions have been filed to suspend the sentence imposed on the petitioners and to exempt the petitioners from surrendering before the Trial Court, pending disposal of the above revision.

3. It is the case of the respondent that the petitioners had issued a cheque for a sum of Rs.82,34,473/- towards discharge of liability; that when the said cheque was presented for collection, it was returned for the reason 'Payment Stopped by drawer'; that in spite of the statutory notice, the petitioners did not make the payment and hence liable for the said offence.

4. 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 his bona fides, the petitioners are willing to deposit 50% of the fine amount.

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

6. 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 50%



of the fine amount, 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 are ordered to be enlarged on bail, on condition that the petitioners shall deposit 50% of the fine amount to the credit of C.C.No.1281/2016 on the file of the learned Metropolitan Magistrate, Fast Track Court No.IV, George Town, Chennai within a period of six 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 for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the Trial Court.

(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 a 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 that 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.

7. Accordingly, these Criminal Miscellaneous Petitions are ordered.

27-03-2026  
2/2

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

NSL

To

1. The XV Additional Sessions Judge, City Civil Court, at Chennai
2. The Metropolitan Magistrate, Fast Track Court No. IV, George Town, Chennai.



WEB COPY

CRL MP No. 5574 of 2



**C.KUMARAPPAN, J.**

**NSL**

**CRL MP Nos. 5574 & 5575 of 2026  
in  
CRL.R.C.No. 730 OF 2026**

**27-03-2026  
2/2**