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CRL MP Nos. 6024 & 6025 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 07-04-2026**

CORAM

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

**CRL MP Nos. 6024 & 6025 of 2026**

**IN**

**CRL RC NO. 764 OF 2026**

1. M/s. Punya Gold India Private Limited  
Rep. by its Director Mr.Mukesh Javerchand  
Mehta,  
aged about 57 years,  
Shop No.2, Ground Floor,  
Plot No. 102/104, Motiwala Building,  
Dhanji Street, Zaveri Bazaar,  
Mumbadevi,  
Mumbai - 400 003.
2. Mukesh Javerchand Mehta  
Shop No.2,Ground Floor,  
Plot No. 102/104, Motiwala Building,  
Dhanji Street,Zaveri Bazaar,  
Mumbadevi,  
Mumbai - 400 003.
3. Dinesh Javerchand Mehta  
Shop No.2, Ground Floor,  
Plot No. 102/104, Motiwala Building,  
Dhanji Street, Zaveri Bazaar,  
Mumbadevi,  
Mumbai - 400 003.

..Petitioner(s)  
in both cases

Vs

M/s. Khandan Jewellers  
Rep. by its Partner Mr.Ramesh Kumar Golecha,  
No. 49/2, N.S.C.Bose Road,  
Chennai 600 079.

..Respondent(s)  
in both cases



**PRAYER in Crl.M.P.No.6024 of 2026:** Criminal Miscellaneous Petition filed under Section 389(1) r/w 439 of Cr.P.C. to suspend the execution of the sentence passed in Crl.A.No. 1085/2024 by the Learned XVIII Additional Judge, City Civil Court, Chennai confirming the sentence passed by the learned XXV Metropolitan Magistrate, Egmore, Chennai in C.C.No. 6094/2019 dated 10.12.2024 and enlarge the petitioners on bail pending disposal of this Criminal Revision.

**PRAYER in Crl.M.P.No.6025 of 2026:** Criminal Miscellaneous Petition filed under Section 528 of BNSS, 2023 to grant an order of exemption from surrendering before the trial court in pursuance to the sentence imposed in Crl.A.No.1085 of 2024 by the Learned XVIII Additional Judge, City Civil Court, Chennai confirming the sentence passed by the learned XXV Metropolitan Magistrate, Egmore, Chennai in C.C.No. 6094/2019 dated 10.12.2024 pending disposal of this Criminal Revision.

For Petitioner(s): Mr.Manoj Sreevalsan

### **ORDER**

The petitioner has preferred the above revision challenging the judgment dated 29.01.2026 passed by the learned XVIII Additional Judge, City Civil Court, Chennai, in Crl.A.No.1085 of 2024, confirming the judgment of the learned Magistrate that the 2<sup>nd</sup> accused is the Signatory and Managing Director of the 1<sup>st</sup> accused company and the 3<sup>rd</sup> accused is the Director of the 1<sup>st</sup> accused company and hence convicting the accused persons 2 and 3 for the offence



under Section 138 of the Negotiable Instruments Act, and sentenced them to undergo one year S.I. and to pay compensation of Rs.70,00,000/-, id. to undergo further Simple Imprisonment for three 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.70,00,000/- towards discharge of liability; that when the said cheque was presented for collection, it was returned for the reason 'Insufficient Funds'; 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 petitioners would submit that the petitioners has 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; that the petitioners had already a sum of Rs.10,000/-, and that, to show their bona fides, the petitioners are willing to deposit Rs.25,00,000/-.

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 a sum of Rs.25,00,000/-, 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 are ordered to be enlarged on bail, on condition that the petitioners shall deposit a sum of Rs.25,00,000/- to the credit of C.C.No.6094 of 2019 on the file of the learned XXV Metropolitan Magistrate, Egmore, Chennai, on or before 19.05.2026.

(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 petitioners/accused shall be suspended, on their executing a separate 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 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 he is 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 petitioner/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. Call the matter on 20.05.2026.

**07-04-2026**  
**(2/2)**

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

DRL



To

1. The XVIII Additional Judge,  
City Civil Court, Chennai.

2. The XXV Metropolitan Magistrate,  
Egmore, Chennai.

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**C.KUMARAPPAN, J.**

**DRL**

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