



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-05-2026

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THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

CRL MP Nos. 8509 & 8511 of 2026

IN

CRL RC NO. 1052 OF 2026

V.Valli

..Petitioner(s) in
both Crl.M.P.'S

Vs

J.Leelavathy

..Respondent(s) in
both Crl.M.P.'s

Prayer in CRL MP No. 8509 of 2026:- This petition is filed under Section 430 of BNSS, 2023, pleaded to suspend the sentence passed by the Learned XIX Additional City Civil Court, Chennai in Crl.A.No. 113 of 2025 dated 28.01.2026, enlarge the revision petitioner on bail pending disposal of the Criminal Revision Petition.

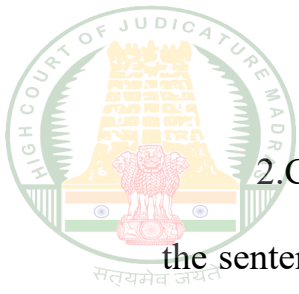
Prayer in CRL MP No. 8511 of 2026:- This petition is filed under Section 430 of BNSS, 2023, pleaded to exempt the Revision petitioner from surrendering before the trial Court in S.T.C.No.4919 of 2022 on the file of the learned XIX Metropolitan Magistrate, Egmore, Allikulam.

In both M.P's:-

For Petitioner(s): Mr.D.Ramesh

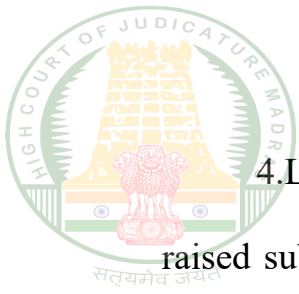
COMMON ORDER

Heard Mr.D.Ramesh, learned Counsel for the petitioner.



2.Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by XIX Metropolitan Magistrate, Egmore @ Allikulam, Chennai, in S.T.C.No.4919 of 2022 dated 04.01.2025, which was confirmed by XIX Additional City Civil Court, Chennai, in Crl.A.No.113 of 2025, dated 28.01.2026 and to exempt the petitioner from surrendering before the Court below.

3.Learned counsel for petitioner would submit that petitioner was convicted by XIX Metropolitan Magistrate, Egmore @ Allikulam, Chennai, for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.4919 of 2022 dated 04.01.2025 and sentenced him to undergo one year Simple Imprisonment and to pay compensation of Rs.3,00,000/- to respondent under Section 357 of the Code, within eight weeks, in default, to undergo a further period of two months . Aggrieved, petitioner filed criminal appeal in Crl.A.No.113 of 2025 before XIX Additional City Civil Court, Chennai, and the lower Appellate Court, by the judgment dated 28.01.2026 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.No.1052 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence and exemption from surrender.



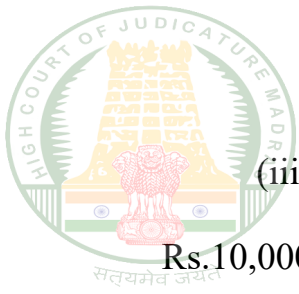
4. Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration; and that to show his bonafides, petitioner is willing to deposit remaining 50% of the cheque amount, before the trial Court. Hence, he prayed for granting suspension of sentence to the petitioner.

5. Considering the fact that there are arguable points raised in revision and taking into consideration, facts and circumstances of the case and that it is likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence and exempt the petitioner from surrendering before the trial court, on the following conditions, till the disposal of the above Criminal Revision:

i) Petitioner is directed to deposit remaining 50% of cheque amount to the credit of S.T.C.No.4919 of 2022 dated 04.01.2025 on the file of XIX Metropolitan Magistrate, Egmore @ Allikulam, Chennai, within a period of six weeks from the date of receipt of a copy of this order, failing which the sentence suspended shall stand automatically vacated and respondent is at liberty to execute the sentence imposed by the trial Court against the petitioner in the manner known to law;

(ii) Any amount already paid shall be deducted while reckoning 50% of cheque amount directed in clause (i);

¹ Atul Alias Ashutosh vs. State of Madhya Pradesh, (2024) 3 SCC 663



(iii) On such deposit, petitioner is directed to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of XIX Metropolitan Magistrate, Egmore @ Allikulam, Chennai;

iv) Petitioner and sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity;

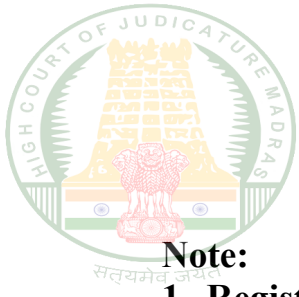
v) Petitioner shall appear and sign before XIX Metropolitan Magistrate, Egmore @ Allikulam, Chennai, on the first working day of every month at 10.30 a.m., until the disposal of the revision;

vi) In case, if petitioner 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. (corresponding to 355 B.N.S.S) and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

6. Accordingly, these Criminal Miscellaneous Petitions are **ordered**.

27-05-2026

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Note:

- 1. Registry is directed to forthwith upload this order on the Official Website of this Court.**
- 2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order, when uploaded on the official website of this Court, will be watermarked and will also have a QR code.**

To:-

- 1.XIX Additional City Civil Court, Chennai.
- 2.XIX Metropolitan Magistrate, Egmore @ Allikulam, Chennai.
- 3.The Public Prosecutor
High Court of Madras.



WEB COPY

CRL MP No. 8509 of 2



MOHAMMED SHAFFIQ, J.

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IN
CRL RC NO. 1052 OF 2026**

**27-05-2026
(2/2)**