



Crl.M.P.No.8543 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 29.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

Crl.M.P.No.8543 of 2026

in

Crl.R.C.No.1062 of 2026

1. M/s. Pratyankara Electronics Private Limited, represented by its Managing Director Mr.A.Mahesh Raju, Plot No.60, Siddartha Nagar, S.R.Nagar, Hyderabad 500 038.
2. A. Mahesh Raju, Managing Director, M/s. Pratyankara Electronics Private Limited, Plot No.60, Siddartha Nagar, S.R.Nagar, Hyderabad 500 038.

... Revision Petitioners

Vs

M/s. Panasonic India Private Limited,
by its Authorised Signatory
Mr.V.Swaminathan,
having its Office at 6th Floor, SPIC Building,
No.88, Mount Road, Guindy,
Chennai 600 032.

... Respondent

Prayer:- This Criminal Miscellaneous Petition has been filed, under Section 438 (1) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), praying to suspend the sentence, imposed on the Revision Petitioners, in Crl.A.No.137 of 2024, dated 02.04.2026 by the I Addl. Sessions Judge, V



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Addl. Sessions Court (FAC), Chennai, confirming the Judgement of the Metropolitan Magistrate, Fast Track Court at magisterial Level No.IV, George Town, Chennai in C.C.No.113 of 2009, dated 31.01.2024 and enlarge the petitioners on bail pending disposal of the Criminal Revision.

For Revision Petitioners :Mr. S.N.Arun Kumar

For Respondent : Mr.Muthu Athmanathan A.S. for
Mr.Gaurau Chatterjee

ORDER

1.This Criminal Miscellaneous Petition has been filed, by the Revision Petitioners, praying to suspend the sentence, imposed on the Revision Petitioners, in Crl.A.137 of 2024, dated 02.04.2026, by the I Addl. Sessions Judge, V-Addl. Sessions Court (FAC), Chennai, confirming the Judgement of conviction and sentence and order, dated 31.01.2024 made in CC.No.113 of 2009, by the Metropolitan Magistrate, Fast Track Court at Magisterial Level No.IV, George Town, Chennai, till the disposal of the instant Criminal Revision Petition.

2.By the impugned judgement of conviction and sentence and order of the Trial Court, the Revision Petitioners were convicted and sentenced for the offences as follows:

Accused	Conviction	Sentence
1 st petitioner /A1	U/s.138 of Negotiable Instruments Act	To pay a fine of Rs.12,26,025/-, in default in payment of fine, A2 being the direcotr of A1



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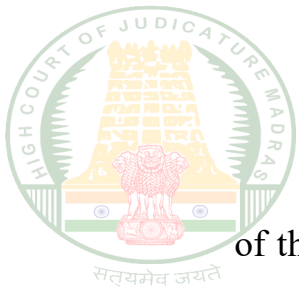
Accused	Conviction	Sentence
		company, has to undergo SI for 6 months
2 nd Petitioner/A2	u/s.138 of Negotiable Instruments Act	To undergo SI for 3 months and to pay a fine of Rs.2,00,000/-, in default in payment of fine, to undergo SI for 3 months.

3.The fine amount ordered to be paid to the complainant.

4.Challenging the above said judgement of conviction and sentence and order, the Revision Petitioners have filed the above Crl.RC.No.1062 of 2026, along with the instant Criminal Miscellaneous Petitions, seeking suspension of sentence and bail pending disposal of the Criminal Revision.

5.This Court heard Mr.S.N. Arunkumar, the learned counsel for the Revision Petitioners and Mr. Muthu Athmanathan, learned counsel appearing for the Respondent and considered their submissions and also perused materials placed before this Court.

6.The learned counsel for the Revision Petitioners has submitted that a complaint was lodged by the respondent alleging that the 1st petitioner/A1 company, under the directorship of 2nd petitioner/A2, towards discharging their liability for supplying goods to A3, issued four cheques bearing Nos.645215, 645216, 645217 and 645219 in favour



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of the complainant and when the same were presented for encashment,

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the cheques were returned with an endorsement 'payment stopped by the drawer. Subsequently statutory notice was issued and since the cheque amounts were not paid, a complaint in C.C.No.113 Of 2009 was filed against the revision petitioners. The courts below failed to consider that Ex.D1 to Ex.D3 . Ex.D1 is the letter sent by A2 to complainant to re-conciliate the accounts in view of defective goods supplied by the complainant. Both the courts have also failed to consider that the invoices produced by the complainant are not acknowledged and are fabricated by the complainant. In the light of the above infirmities and discrepancies in the evidence of the prosecution witnesses, both the Courts below have failed to consider that the prosecution has not proved its case beyond any doubt. It was further argued that the judgment passed by both the Courts below was based on surmises and conjectures without considering the entire evidence on record.

7.It is further argued that due to pendency of the criminal cases before this High Court, there is a blinking chance that in the near future, this Criminal Revision Case will be finally heard and decided. It is further submitted that there are arguable points in this Criminal Revision Case and the Revision Petitioners have a fair chance of success in this



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Criminal Revision Case. Thus, the learned counsel for the Revision

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Petitioners have prayed for suspension of sentence and bail, till the disposal of this Criminal Revision Petition.

8. Several other submissions in order to demonstrate the falsity of the allegations made against the Revision Petitioners have also been placed forth before the Court. The circumstances which, according to the counsel, led to the false implication of the accused have also been touched upon at length. It has been assured on behalf of the Revision Petitioners that he is ready to cooperate with the process of law and shall faithfully make himself available before the Court, whenever required and is also ready to accept all the conditions, which the Court may deem fit to impose upon him. The Revision Petitioners undertake that in case they are released on bail, they will not misuse the liberty of bail and will cooperate in disposal of Revision.

9. The learned counsel for the Respondent has opposed the argument advanced by the learned counsel for the Revision Petitioners and submits that the judgements passed by the Courts below are as per the law, after considering the entire evidence and thus, the relief sought by the Revision Petitioners, at this stage, be refused by this Court.

10. Considering the arguments advanced by the learned counsel for the



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Revision Petitioners as well as the learned counsel for the Respondent,

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this Court is of the view that the Trial Court has failed to appreciate the evidence on record and the judgment was passed without considering the entire materials place before it and during the Trial the Revision Petitioners were also on bail.

11.Further, it is observed that when the accused have been under incarceration for sometime and when there are points in the Revision, which favour the accused, then the Courts should not shy from granting suspension of sentence, as the liberty of the individual would be at stake, if the revision results in acquittal at a later point of time. In this regard, the decision of the Hon'ble Supreme Court of India, in the case of ***Rabi Prakash Vs. The State of Odhisha reported in 2023 Live Law (SC) 533*** is of relevance.

12.The Revision Petitioners have raised substantial grounds in the Revision, which require detailed appraisal. Further, the Revision is not likely to be taken up in the near future. In such view of the matter, this Court is of the view that the Revision Petitioners are entitled to the relief of suspension of sentence and bail.

13.Accordingly, pending the Criminal Revision Case, the relief of suspension of sentence and bail is granted to 2nd Revision Petitioner,



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namely, A.Mahesh Raju, Managing Director of A1 company on the

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- i.The 2nd Revision Petitioner shall surrender before the Metropolitan Magistrate, Fast Track Court at Magisterial Level-No.IV, George Town, Chennai within three weeks from the date of receipt of a copy of this order and on such surrender, the Revision Petitioner No.2 is ordered to be released on bail, on his executing a personal bond, along with two sureties for a sum of **Rs.15,000/-** (Rupees fifteen thousand only) each, subject to furnishing undertaking that they will co-operate in the hearing of the present Revision.
- ii.The Revision Petitioner No.2 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.
- iii.The Petitioner No.2 shall appear before the Metropolitan Magistrate, Fast Track Court at Magisterial Level-No.IV, George Town, Chennai once in every month, ie., on 3rd day of every month commencing from the month of August 2026 at 10.30 a.m., until further orders.
- iv.On acceptance of his bail bond and sureties, the Trial Court shall transmit photostat copies thereof to this Court for being kept on records of this Revision.

With the above directions, this Criminal Miscellaneous Petition is ordered.



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Web: Yes/No

Speaking/Non Speaking

Neutral Citation

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To

1.The I Addl. Sessions Judge, V Addl. Sessions Court (FAC), Chennai,

2.The Metropolitan Magistrate, Fast Track Court at

Magisterial Level No.IV, George Town, Chennai



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SHAMIM AHMED, J.

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