



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2026

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

Crl.M.P.Nos.8642 & 8644 of 2026

in

Crl.R.C.No.1089 of 2026

K.Sendhilkumaran
Proprietor M/s. Richton Solution,
M/s. Richton Housing Promoters,
Office at: No.25, 2nd Floor, Kovai Departmental Complex,
15-Velampalayam Road, Anuppurpalayam Pudur,
Tiruppur – 641 652.
Presently having office at:
No.17, Karupparayan Kovil Street,
Anuppurpalayam Pudur,
Tiruppur – 641 652.
Residing at: Door No.2/697B,
Vivekanadar Main Street,
S.R. Nagar South, Andipalyam South,
Tiruppur – 641 687.

...Petitioner

Vs.

M.Praveenkumar

...Respondent

Prayer in Crl.M.P.No.8642 of 2026: Criminal Miscellaneous Petition filed under Section 438(1) of BNSS, seeking to suspend the sentence passed in the judgment and order dated 17.04.2026 in C.A.No.340 of 2024 on the file of the I Additional District and Sessions Court, Tiruppur for convicting the petitioner and the above appeal and confirming the Judgment dated 21.08.2024 passed in S.T.C.No.2016 of 2020 on the file of the Judicial Magistrate Court (Fast Track Court), Tiruppur.



Prayer in Crl.M.P.No.8644 of 2026: Criminal Miscellaneous Petition filed under Section 528 of BNSS, seeking to exempt the petitioner from surrendering before the trial court in S.T.C.No.2016 of 2020 on the file of the Judicial Magistrate Court (Fast Track Court), Tiruppur, pending disposal of this revision petition.

For Petitioner : Mr.S.Rajakumar

COMMON ORDER

Heard Mr.S.Rajakumar, learned counsel for the petitioner.

2. Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon the petitioner by the learned Judicial Magistrate (Fast Track Court), Tiruppur in S.T.C.No.2016 of 2020 dated 21.08.2024, which was confirmed by the learned I Additional District and Sessions Judge, Tiruppur in C.A.No.340 of 2024 dated 17.04.2026 and to exempt the petitioner from surrendering before the Court below.

3. Learned counsel for petitioner made the following submissions:

3.1 The petitioner was convicted by the learned Judicial Magistrate (Fast Track Court), Tiruppur, for the offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.2016 of 2020 dated 21.08.2024 and sentenced him to undergo six months Simple Imprisonment and to



pay a sum of Rs.11,00,000/- as compensation to the respondent/complainant within a period of one month, failing which the petitioner has to undergo default sentence of one month simple imprisonment. Aggrieved, petitioner filed the criminal appeal in C.A.No.340 of 2024 before the I Additional District and Sessions Court, Tiruppur and the lower Appellate Court, by the judgment dated 17.04.2026, dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.No.1089 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence and exemption from surrender.

3.2 The petitioner has raised substantial grounds in the above revision, which requires consideration; and that to show his bonafides, he is willing to deposit 50% of the compensation amount, before the trial Court. Hence, he prayed for granting suspension of sentence to the petitioner and exempting the petitioner from surrendering before the trial Court.

4. 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

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



petitioner from surrendering before the trial court, on the following conditions, till the disposal of the above Criminal Revision:-

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(i) Petitioner is directed to deposit 50% of the compensation amount to the credit of S.T.C.No.2016 of 2020 dated 21.08.2024 on the file of the Judicial Magistrate Court (Fast Track Court), Tiruppur, within a period of **four 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;

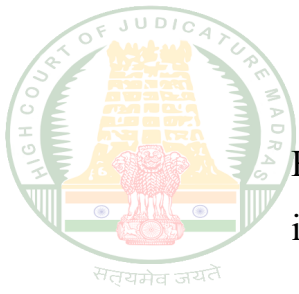
(ii) Any amount already paid shall be deducted while reckoning 50% of the compensation amount directed in clause (i);

(iii) On such deposit, the 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 the learned Judicial Magistrate (Fast Track Court), Tiruppur;

(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 the trial Court, on the first working day of every English calendar month at 10.30 a.m., until the disposal of the revision;

(vi) In case, if the 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.

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

29.05.2026
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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. The Judicial Magistrate (Fast Track Court),
Tiruppur.
2. The I Additional District and Sessions Judge,
Tiruppur.



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MOHAMMED SHAFFIQ, J.

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in
Crl.R.C.No.1089 of 2026
(2/4)

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