



Crl.M.P.No.8744 of 2026 in Crl.R.C.No.1102 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-05-2026

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

**CRL MP No.8744 of 2026
in CRL RC No.1102 of 2026**

P. Vadivel

... Petitioner

Vs

N. Jagannatharao

... Respondent

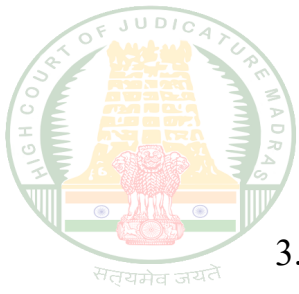
PRAYER: To suspend the sentence and conviction imposed upon the petitioner in S.T.C. No.122 of 2018 dated 01.05.2024 on the file of learned Judicial Magistrate (FTC) Vellore, pending disposal of the above Criminal Revision Case.

For Petitioner(s) : Mr. R. Ganesan

ORDER

Heard Mr.R. Ganesan, learned Counsel for the revision petitioner.

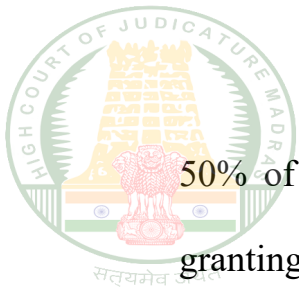
2. Criminal Miscellaneous Petition has been filed praying to suspend the sentence imposed upon the petitioner by the learned Judicial Magistrate (FTC), Vellore in S.T.C.No.122 of 2018 dated 01.05.2024, which was confirmed by the learned Sessions Judge, Magalir Neethimandram (FTMC), Vellore in Crl.A.No.44 of 2024, dated 16.04.2026.



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3. Learned counsel for the petitioner would submit that petitioner was convicted by the Judicial Magistrate (FTC), Vellore for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.122 of 2018 dated 01.05.2024 and sentenced him to undergo six months Simple Imprisonment u/s. 255(2) of Criminal Procedure Code and directed to pay a compensation of Rs.9,00,000/- i.e., to the complainant directly as compensation amount within two months from the date of judgment, in default to undergo simple imprisonment for two months u/s. 357(3) Cr.P.C. Aggrieved, petitioner filed criminal appeal in Crl.A.No.44 of 2024 before the Sessions Judge, Magalir Neethimandram (FTMC), Vellore and the lower Appellate Court, by the judgment dated 16.04.2026 dismissed the appeal, confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.No.1102 of 2026 before this Court along with the instant miscellaneous petition seeking suspension of sentence.

4. Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration; that the petitioner had already paid 30% of the cheque amount as compensation before the first Appellate Court, at the time of numbering the appeal; and that to show his bonafides, petitioner is willing to deposit



50% of the cheque amount, before the trial Court. Hence, he prayed for granting suspension of sentence to the petitioner.

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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 heard, this Court is inclined to grant suspension of sentence, on the following conditions, till the disposal of the above Criminal Revision:

(i) Petitioner is directed to deposit 50% of cheque amount to the credit of S.T.C.No.122 of 2018 dated 01.05.2024 on the file of learned Judicial Magistrate (FTC), Vellore, 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 cheque amount directed in clause (i);

(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 the learned Judicial Magistrate (FTC), Vellore;

(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;

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(v) Petitioner shall appear and sign before the learned Judicial Magistrate (FTC), Vellore, 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 her absence, as directed by the trial Court.

6. Accordingly, this Criminal Miscellaneous Petition is **ordered**.

27.05.2026

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this



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Court will be watermarked and will also have a QR code.

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To

1. The Sessions Judge, Magalir Neethimandram (FTMC), Vellore.
2. The Judicial Magistrate (FTC), Vellore.
3. The Public Prosecutor,
High Court of Madras.

MOHAMMED SHAFFIQ, J.

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27.05.2026

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