



Crl.M.P.Nos.8787 and 8789 of 2026 in Crl.R.C.No.1110 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 NOS.8787 and 8789 of 2026

in CRL RC No.1110 of 2026

P. Jegannathan

... Petitioner

Vs

K. Eswaran

... Respondent

Prayer in Crl.M.P.No.8787 of 2026: To suspend the sentence imposed upon the petitioner by the learned Judicial Magistrate No.I, Bhavani, Erode District in S.T.C.No.692 of 2022 dated 14.09.2023, modified by the learned IV Additional District Judge and Sessions Judge, Erode District at Bhavani in Crl.A.No.340 of 2023 dated 25.02.2026 pending disposal of the above criminal revision case.

Prayer in Crl.M.P.No.8789 of 2026: To exempt the petitioner from surrender pursuant to the conviction and sentence imposed upon him by the learned Judicial Magistrate No.I, Bhavani, Erode District in S.T.C.No.692 of 2022 dated 14.09.2023, modified by the learned IV Additional District Judge and Sessions Judge, Erode District at Bhavani in Crl.A.No.340 of 2023 dated 25.02.2026 pending disposal of the above criminal revision case.

For Petitioner(s) : Mr. S. Kuberan

COMMON ORDER



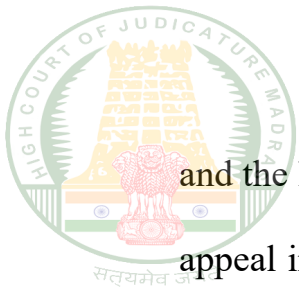
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Heard Mr. S. Kuberan, learned Counsel for petitioner.

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2. Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by the learned Judicial Magistrate No.I, Bhavani, Erode District in S.T.C.No.692 of 2022 dated 14.09.2023, modified by the learned IV Additional District Judge and Sessions Judge, Erode District at Bhavani in Crl.A.No.340 of 2023 dated 25.02.2026 pending disposal of the above criminal revision petition and to exempt the petitioner from surrendering before the Court below.

3. Learned counsel for petitioner would submit that petitioner was convicted by learned Judicial Magistrate No.I, Bhavani, Erode District for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.692 of 2022 dated 14.09.2023 and sentenced him to undergo two years Simple Imprisonment and directed the petitioner to pay a sum of Rs.6,00,000/- twice the amount of the cheque as compensation to the complainant u/s. 357(3) of Cr.P.C within a period of 3 months from the date of receipt of the copy of the judgment and in default of payment of compensation amount, the petitioner has to undergo simple imprisonment for a period of further 3 months. Aggrieved, petitioner filed criminal appeal in Crl.A.No.340 of 2023 before IV Additional District Judge and Sessions Judge, Erode District at Bhavani



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and the lower Appellate Court, by the judgment dated 25.02.2026 allowed the appeal in part, by modifying the sentence imposed by the Trial Court as one year simple imprisonment instead of two years simple imprisonment and also reduced the compensation awarded by the Trial Court to Rs.3,00,000/- (cheque amount) instead of Rs.6,00,000/-. Aggrieved, petitioner filed Crl.R.C.No.1110 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 50% of the cheque amount, before the trial Court. Hence, he prayed for granting suspension of sentence to the petitioner and exempting the petitioner from surrender before the Trial Court.

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 and exempt the 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 cheque amount to the credit of S.T.C.No.692 of 2022 dated 14.09.2023 on the file of Judicial Magistrate No.I, Bhavani, Erode District 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 shall 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 No.I, Bhavani, Erode District;

(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 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



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

MOHAMMED SHAFFIQ, J.

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To

1. The IV Additional District Judge and Sessions Judge, Erode at Bhavani



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2. The Judicial Magistrate No.I, Bhavani, Erode District.

3. The Public Prosecutor,
High Court of Madras.

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27.05.2026

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