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*Crl.M.P.Nos.1267 and 1270 of 2026
in Crl.R.C.No.188 of 2026*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2026

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

**Crl.M.P.Nos.1267 and 1270 of 2026
in
Crl.R.C.No.188 of 2026**

Pagalavan

...Petitioner

-VS-

Vangili Poultry Farm,
Represented by its Manager,
Mr.Prasannakumar,
No.6/315-2A, 1st Floor,
Vangili Complex,
Trichy Main Road,
Namakkal District.

...Respondent

PRAYER in Crl.M.P.No.1267 of 2026: Criminal Miscellaneous Petition filed under Section 438 1(b) of BNSS, to suspend the sentence imposed in the judgment passed in Crl.A.No.120 of 2024 dated 25.03.2025 on the file of the I Additional District and Sessions Judge, Namakkal, confirming the order of conviction dated 23.04.2024 passed in S.T.C.No.875 of 2022 on the file of the Judicial Magistrate No.1, Namakkal, and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition before this Court.



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For Petitioner : Mr.Muruganandham
for Mr.D.Anbarasan

ORDER

Also to
exempt him from surrendering before the trial Court, pending disposal of the
Criminal Revision Case.

2. It is the case of the respondent that the petitioner had issued a
cheque for a sum of Rs. /- towards discharge of liability; that when



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the said cheque was presented for collection, it was returned stating

‘Drawer's signature differs’; that in spite of the statutory notice, the petitioner did not make the payment; and hence liable for the said offence.

3.

4. Heard the learned counsel for the petitioner and perused the materials available on record.

5. Having regard to the submission made by the learned counsel for the petitioner that there are substantial grounds raised in the above revision which require consideration, and the fact that the petitioner is willing to deposit 30% of the cheque amount, this Court is inclined to suspend the sentence imposed on the petitioner and exempted him from surrendering before the trial Court, subject to the following conditions:



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(i) The petitioner/Accused shall deposit 30% of the cheque amount to the credit of S.T.C.No.875 of 2022 on the file of learned Judicial Magistrate No.1, Namakkal, within a period of four weeks from the date of receipt of a copy of this order;

(ii) On such deposit being made, the Trial Court shall redeposit the said amount in a Fixed Deposit Account, in any one of the Nationalized Banks, renewable thereafter periodically. The disbursal of this amount shall be decided at the culmination of the Criminal Revision Case;

(iii) Thereafter, the sentence of imprisonment alone imposed on the petitioner/Accused shall be suspended, on him executing a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of the learned Judicial Magistrate No.1, Namakkal;

(iv) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;

(v) The petitioner shall appear before the Trial Court on the first working day of every month at 10.30 a.m. until the disposal of the revision and if he is not able to appear before



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the Trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C., 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; and

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SUNDER MOHAN, J.

Mac

To

1. The Additional District and Sessions Court, Namakkal
2. The Judicial Magistrate No.1, Namakkal

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(2/2)**