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*Crl.M.P.Nos.1027 and 1031 of 2026
in Crl.R.C.No.159 of 2026*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2026

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

**Crl.M.P.Nos.1027 and 1031 of 2026
in
Crl.R.C.No.159 of 2026**

1. M/s. Raajasamy Mills
Rep. by its Partner,
C.Rajamani,
D.No.235/3, Periyamaniyakara Thottam,
Ammapalayam, Palladam,
Coimbatore District - 641 664.
2. C.Rajamani
Partner,
M/s.Raajasamy Mills,
D.No.235/3, Periyamaniyakara Thottam,
Ammapalayam,
Palladam,
Coimbatore District – 641 664.
3. A.Ramasamy
Partner,
M/s.Raajasamy Mills,
D.No.235/3, Periyamaniyakara Thottam,
Ammapalayam,
Palladam,
Coimbatore District – 641 664.

...Petitioners

-VS-



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M/s. Lakshmi Electrical Drives Limited,
Rep. by K.Jayakumar,
Senior Officer-Marketing,
Office at 504, Avanashi Road,
Peelamedu,
Coimbatore - 641 004.

...Respondent

PRAYER in Crl.M.P.No.1027 of 2026: Criminal Miscellaneous Petition filed under Section 438 of BNSS, to suspend the sentence passed by the learned V-Additional District and Sessions Judge, Coimbatore in C.A.No.57 of 2021 dated 26.08.2025, confirmed the conviction and sentence imposed by the learned Judicial Magistrate, Fast Track Court at Magistrate level No.II of Coimbatore in C.C.No.447 of 2014 dated 11.02.2021 and enlarge the petitioners on bail pending disposal of the above said Criminal Revision Case.

For Petitioners : Mr.A.Tamilarasan

ORDER



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*Crl.M.P.Nos.1027 and 1031 of 2026
in Crl.R.C.No.159 of 2026*

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

2. It is the case of the respondent that the 1st petitioner is a Partnership Firm and petitioners 2 and 3 are its partners, running a mill in the name and style of M/s. Raajasamy Mills; that the petitioners 2 and 3, for and on behalf of the 1st petitioner Firm, had issued two cheques for a sum of Rs.4,99,200/- each, towards discharge of liability; that when the said cheques were presented for collection, it was returned stating 'Funds Insufficient'; that in spite of the statutory notice, the petitioners did not make the payment; and



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in Crl.R.C.No.159 of 2026*

hence liable for the said offence.

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3.

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

5. Having regard to the submission made by the learned counsel for the petitioners that there are substantial grounds raised in the above revision which require consideration, and the fact that the petitioners 2 and 3 are willing to deposit 50% of the cheque amount, this Court is inclined to suspend the sentence imposed on the petitioners and exempted them from surrendering before the trial Court, subject to the following conditions:

(i) The petitioners 2 and 3/Accused shall deposit 50% of the cheque amount to the credit of C.C.No.447 of 2014 on the file of learned Judicial Magistrate, Fast Track Court at



WEB COPY



*Crl.M.P.Nos.1027 and 1031 of 2026
in Crl.R.C.No.159 of 2026*

Magistrate Level No.II, Coimbatore, 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 petitioners 2 and 3/Accused shall be suspended, on their executing a bond each for a sum of Rs.10,000/- with two sureties, each for a likesum to the satisfaction of the learned Judicial Magistrate, Fast Track Court at Magistrate Level No.II, Coimbatore;

(iv) The petitioners 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 petitioners 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 they are not able to appear before the Trial Court on any day, they shall make arrangements to file an application under Section 317 Cr.P.C., and shall appear



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in Crl.R.C.No.159 of 2026*

before the Trial Court on any other day in lieu of the date of
their absence, as directed by the Trial Court; and

27.01.2026
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*Crl.M.P.Nos.1027 and 1031 of 2026
in Crl.R.C.No.159 of 2026*

SUNDER MOHAN, J.

Mac

To

1. The V-Additional District and Sessions Judge, Coimbatore
2. The Judicial Magistrate, Fast Track Court at Magistrate Level No.II, Coimbatore

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