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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

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THE HON'BLE MR.JUSTICE N.RAMESH

CRL MP No. 20440 of 2026
IN
CRL RC NO. 2432 OF 2026

Karuppusamy

..Petitioner(s)

Vs

Jayakumar

..Respondent(s)

PRAYER: Criminal Miscellaneous Petition has been filed under Section 430 (1) & (3) of the BNSS / 389 (1) & (3) of Cr.P.C. to suspend the sentence and compensation made in Criminal Appeal No.99 of 2025 on the file of the IV Additional District and Sessions Court, Coimbatore dated 10-09-2026 in confirming the conviction and sentence made in CC No.290 of 2020 on the file of the District Munsif and Judicial Magistrate, Maduakarai dated 06-03-2025 and grant bail to the petitioner pending disposal of the criminal revision petition.

For Petitioner(s): Mr.D.Veerasekaran

ORDER

This Criminal Miscellaneous Petition has been filed seeking to suspend the sentence and compensation imposed on the petitioner in CC No.290 of 2020

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by the order dated 06.03.2025 on the file of learned the District Munsif and Judicial Magistrate, Maduakarai, which was confirmed by the learned IV Additional District and Sessions Court, Coimbatore, in Crl.A.No.99 of 2025 dated 10.09.2026 convicting the petitioner to undergo simple imprisonment of one year and pay compensation of Rs.12,60,000/-, in default to undergo two months simple imprisonment.

2.It is the case of the respondent that towards discharge of the liability, the petitioner had issued a cheque for Rs.6,30,000/-; that when the cheque was presented for collection, it was returned for the reason “Funds insufficient” and that inspite of statutory notice, petitioner did not make any payment.

3.The petitioner/accused in C.C.No.290 of 2020 was convicted by the Trial Court by judgment dated 06.03.2025 for the offence under Section 138 of the Negotiable Instruments Act and sentenced him to undergo one year simple imprisonment and directed him to pay the cheque amount of Rs.6,30,000/-. Aggrieved by the same, the petitioner/accused preferred an appeal in Crl.A.No.99 of 2025 before the learned IV Additional District and Sessions Court, Coimbatore. The learned IV Additional District and Sessions Judge, by judgment dated 10.09.2026, dismissed the appeal confirming the conviction and sentence passed by the trial Court, against which, he filed Crl.R.C.No.2432 of

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2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence and bail.

4.The learned counsel for the petitioner would submit that the petitioner has raised substantial grounds in the above revision, which requires consideration; and to show his bonafides, the petitioner is willing to deposit 20% of the cheque amount and prayed for granting suspension of sentence to the petitioner.

5. Heard the learned counsel for petitioner and perused the records.

6.Considering the fact that the petitioner has raised substantial grounds in the above revision, which requires consideration and he is willing to deposit 20% of the cheque amount, this Court is inclined to grant suspension of sentence and bail to the petitioner, on the following conditions, till the disposal of the above Criminal Revision:

> (i) The petitioner is ordered to be enlarged on bail, on condition that the petitioner shall deposit 20% of the cheque amount, i.e. Rs.1,26,000/- (Rupees One Lakh Twenty Six Thousand only) to the credit of C.C.No.290 of 2020 on the file of the District Munsif and Judicial Magistrate, Maduakarai within a period of two weeks from the date of receipt of a copy of this order.

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(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 his executing a bond for a sum of Rs.10,000/- with two sureties, each for a likesum to the satisfaction of the trial court.

(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 a month at 10.30 a.m., until the disposal of the revision and if he 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. 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.

(vi) On the failure of the petitioner/accused, depositing the above said amount, it is open to the trial Court to commit the petitioner/accused into custody for undergoing the sentence.

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7. Accordingly, this Criminal Miscellaneous Petitions is ordered.

23-10-2026

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To

1.The IV Additional District and Sessions Court,
Coimbatore.

2. The District Munsif and Judicial Magistrate,
Maduakarai.

3.The Public Prosecutor,
High Court, Madras.

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