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CRL MP Nos.7840 & 7842 of 2026
in
CRL RC No. 982 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-04-2026

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THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

**CRL MP Nos.7840 & 7842 of 2026
in
CRL RC No. 982 of 2026**

R. Murugan
Proprietor of M/s. Sri Amman Textiles,
No.14, Chidambaram Road,
Jayakondam, Ariyalur-621 082.

Petitioner(s)

Vs

M/s. Shanthi Tex
Rep. by its Proprietress Mrs. S. Vandhana,
Carry on Business at:
No.101, Raja Street, Coimbatore-641 001.
Now represented by its Power Agent,
Mr. M. Balraj, S/o. Muthukrishnan,
Working at No.101, Raja Street,
Coimbatore-641 001.

Respondent(s)

PRAYER in CRL MP No. 7842 of 2026: Criminal Miscellaneous Petition filed Section 438(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, to Suspension of Sentence of imprisonment alone imposed in C.C. No.375 of 2020 on 25.3.2024 by the Learned Judicial Magistrate, Fast Track Court No.I at Coimbatore and the same was confirmed by V Additional District and Sessions Court at Coimbatore on 20.8.2025 in Crl A. No.205/2024 and enlarge the petitioner herein on bail pending disposal of the criminal revision and thus render justice.

PRAYER in CRL MP No. 7840 of 2026: Criminal Miscellaneous Petition filed under Section 528 of BNSS, to exempt the petitioner from surrendering



before the authorities concerned in C.C. No.375 of 2020 on 25.03.2024 by the Learned Judicial Magistrate, Fast Track Court No.1 at Coimbatore and the same was confirmed by V Additional District and Sessions Court at Coimbatore on 20.8.2025 in Crl.A.No.205/2024 for the Suspension of Sentence in this regard pending disposal of the Criminal Revision petition and thus render justice.

For Petitioner(s): Mr.R.Rangarajan

COMMON ORDER

This Criminal Revision case has been filed for setting aside the judgement dated 20.08.2025 in Crl.A.No.205 of 2024 on the file of V Additional District and Sessions Court, Coimbatore, confirming the judgement dated 25.03.2024 in C.C.No.375 of 2020 on the file of the learned Judicial Magistrate, Fast Track Court No.I, Coimbatore, convicting the petitioner/accused for the offence under Section 138 of the Negotiable Instruments Act, and sentenced him to undergo 9 months simple imprisonment and to pay a compensation of Rs.7,00,000/- (Rupees Seven Lakhs Only) to the complainant, in default, the accused/petitioner shall undergo a further period of 2 months simple imprisonment consecutively, as default sentence.

2. Along with the revision, the petitioner has filed two Miscellaneous Petitions viz. CRL MP No. 7842 of 2026, seeking suspension of sentence and CRL MP No.7840 of 2026 for exempting him from surrendering pursuant to the



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3. It is the case of the respondent that the petitioner had issued a cheque for a sum of Rs.3,50,000/- towards discharge of liability; that when the said cheque was presented for collection, it was returned for the reason 'Funds Insufficient'; that in spite of the statutory notice, the petitioner did not make the payment; and hence liable for the said offence.

4. The learned counsel for the petitioner would submit that the petitioner has raised substantial grounds in the above revision; that the petitioner has rebutted the statutory presumption; that the judgment of the Courts below are liable to be set aside; and that, to show his bona fides, the petitioner is willing to deposit the entire cheque amount of Rs.3,50,000/-.

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

6. 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 the entire cheque amount of Rs.3,50,000/- (Rupees Three Lakhs Fifty Thousand



Only), this Court is inclined to suspend the sentence imposed on the petitioner,
subject to the following conditions:

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(i) The petitioner/Accused shall deposit the entire cheque amount Rs.3,50,000/- (Rupees Three Lakhs Fifty Thousand Only), after deducting the amount which was already deposited by the petitioner, if any, to the credit of C.C.No.375 of 2020 on the file of the learned Judicial Magistrate (Fast Track Court No.1), Coimbatore, on or before 29.05.2026;

(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.25,000/- 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 every 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 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

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

7. With the above directions, the Criminal Miscellaneous Petition viz., CRL MP No. 7842 of 2026 is ordered.

8. Insofar as the petition viz., Crl.M.P.No.7840 of 2026 filed seeking exemption of the petitioner from surrender before the trial Court is concerned, in view of the order passed by this Court in Crl.M.P.No.7842 of 2026 dated 30.04.2026, granting suspension of sentence, no further orders are necessary in this petition. Accordingly, the Criminal Miscellaneous Petition viz., Crl.M.P.No.7840 of 2026 stands closed.

30-04-2026

Jd
Neutral Citation: Yes/No



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To

1. V Additional District and Sessions Court, Coimbatore.

2. The Learned Judicial Magistrate, Fast Track Court No.1,
Coimbatore.

3. The Public Prosecutor,
Madras High Court, Chennai.



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G.K.ILANTHIRAIYAN J.
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