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Crl.M.P. Nos. 24321 & 24322 of 2025
in
Crl.R.C. No. 2783 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2026

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.MP. Nos. 24321 & 24322 of 2025

in

Crl.R.C. No. 2783 of 2025

S.D. Saravanakumar
S/o. K.S.R. Dhamodharan,
No.24, Visaga Thottam Street,
Saidapet, Chennai – 600 015.

..Petitioner

Vs.

D. Meenakshi Sundar,
S/o.E. Dinakaran,
Plot No. 32/34, Paalayappan Street,
Seven Wells, Chennai – 600 001.

..Respondent

Prayer in Crl.M.P. No. 24321 of 2025: Criminal Miscellaneous Petition filed under Sections 430(3)(i) r/w 483 of BNSS to suspend the sentence imposed on the petitioner/appellant in S.T.C. No. 945 of 2022 by judgment dated 22.10.2024 by the learned Metropolitan Magistrate, Fast Track Court at Magisterial Level -IV, George Town, Chennai and enlarge the petition/appellant on bail pending disposal of the criminal revision petition.

Prayer in Crl.M.P. No. 24322 of 2025: Criminal Miscellaneous Petition filed under Section 528 of BNSS to exempt the petitioner from surrendering



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before the Metropolitan Magistrate, Fast Track Court IV, George Town, Chennai -01 in S.T.C.No. 945 of 2022 pending disposal of the criminal revision petition.

For Petitioner :: Mr.M. Vimal Bobby Crimson

O R D E R

The criminal revision challenges the judgment dated 24.09.2025 passed in C.A. No. 918 of 2024 by the learned XIX Additional City Civil Court, Chennai confirming the conviction imposed by judgment dated 22.10.2024 in S.T.C. No. 945 of 2022 by the learned Metropolitan Magistrate, Fast Track Court IV at George Town, Chennai for the offence under Section 138 of Negotiable Instruments Act and sentencing him to undergo simple imprisonment for a period of four months and to pay compensation of Rs.7,00,000/- carrying a default sentence of simple imprisonment for two weeks.

2. Crl.M.P. No. 24321 of 2025 has been filed to suspend the sentence imposed on the petitioner and Crl.M.P. No. 24322 of 2025 has been filed seeking exemption from surrendering before the Trial Court pending disposal of the revision.

3. Learned counsel for the petitioner would submit that the Court below had erred in convicting the petitioner since statutory notice



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issued by the respondent was beyond the time limit fixed under the Act; that the return memo was dated 09.03.2021; that the statutory notice was issued on 01.11.2021 and therefore, the judgments are liable to be set aside.

4. This Court finds considerable force in the submission made by the learned counsel for the petitioner. Hence, this Court is inclined to suspend the sentence imposed on the petitioner and exempt the petitioner from surrendering before the Trial Court.

5. Accordingly, the sentence imposed on the petitioner stands suspended and the petitioner is ordered to be enlarged on bail and further exempted from surrendering before the Trial Court till the disposal of the revision subject to the following conditions:

(i) The petitioner shall execute a bond for a sum of Rs.10,000/-, with two sureties, each for a like sum to the satisfaction of the learned Metropolitan Magistrate, Fast Track Court at Magisterial Level IV at George Town, Chennai.

(ii) 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; and



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(iii) 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.

6. The criminal miscellaneous petitions are ordered accordingly.

02.01.2026

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To

1. The Metropolitan Magistrate,
Fast Track Court IV, George Town,
Chennai.
2. The XIX Additional City Civil Court,
Chennai.

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