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Crl.M.P.No.2374 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2026

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

**Crl.MP No. 2374 of 2026
in Crl.R.C.No.318 of 2026**

N.Girish Kumar

...Petitioner(s)

Vs

M.Thirumoorthy

...Respondent(s)

PRAYER: Criminal Miscellaneous Petition filed under Section 438 of BNSS,to suspend the sentence imposed in the Judgement dated 05.09.2024 passed in STC No.63 of 2019 by the Judicial Magistrate (Fast Track) at Thiruppur District, as modified by the Judgment dated 09.12.2025 passed in Crl.A.No.295 of 2024 by the Special Court for SC and ST (Atrocity Prevention), Thiruppur district, pending disposal of the above criminal revision case.

For Petitioner(s): Mr.C.D.Sugumar

ORDER



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2. It is the case of the respondent that the petitioner had issued a cheque for a sum of towards discharge of liability; that when the said cheque was presented for collection, it was returned stating 'Funds Insufficient'; 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, 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.63 of 2019 on the file of learned Judicial Magistrate (Fast Track Court), Thiruppur, 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 (Fast Track Court), Thiruppur;

(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 she is not able to appear before the Trial Court



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on any day, she 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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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. The Special Court for SC and ST (Atrocity Prevention),
Thiruppur.

2. The Judicial Magistrate (Fast Track Court), Thiruppur.



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SUNDER MOHAN J.
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