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CRL MP(MD) Nos. 3818 & 3819 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19-02-2026

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) Nos. 3818 and 3819 of 2026

IN

CRL RC(MD) NO. 316 OF 2026

R.Sonaimuthu

Petitioner(s)

Vs

J.Saravanan

Respondent(s)

For Petitioner(s):

Mr.R.Venkateswaran

Prayer in Crl.M.P.(MD).No.3818 of 2026:

To Suspend the Sentence imposed on the petitioner in S.T.C.No.102 of 2018 dated 21.02.2020 on the file of the Judicial Magistrate Fast Track Court (M.L), Theni confirmed in C.A.No.39 of 2020 dated 11.06.2025 on the file of the Principal Sessions Judge, Theni and enlarge him on bail till disposal of the revision.

Prayer in CRL MP(MD).No.3819 of 2026 :

To exempt the petitioner from surrendering in pursuance of the judgment passed in C.A.No.39 of 2020 dated 11.06.2025 on the file of the Principal Sessions Judge, Theni confirming the order of conviction and sentence passed in STC No.102 of 2018 dated 21.02.2020 on the file of the Judicial Magistrate Fast Track Court (M.L.), Theni, till disposal of the revision.



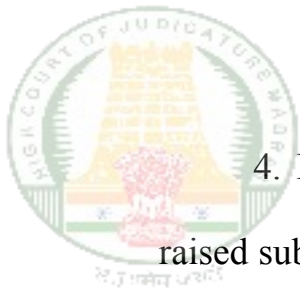
ORDER

Heard Mr.R.Venkateswaran, learned counsel for the petitioner.

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2. Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate, Fast Track Court (M.L.), Theni in S.T.C.No.102 of 2018 dated 21.02.2020, which was confirmed by Principal Sessions Judge, Theni in C.A.No.39 of 2020 dated 11.06.2025 and to exempt the petitioner from surrendering before Court below.

3. Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate, Fast Track Court (M.L.), Theni for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.102 of 2018 dated 21.02.2020 and sentenced to undergo simple imprisonment for 10 months and to pay compensation of Rs.5,00,000/- with interest at the rate of 9% per annum from the date of dishonour, to respondent. Aggrieved, petitioner filed criminal appeal in C.A.No.39 of 2020 before Principal Sessions Judge, Theni and the lower Appellate Court by judgment dated 11.06.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Challenging the above conviction and sentence, petitioner filed CrI.R.C.(MD)No.316 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.



4. Learned counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration; and that to show his bonafides, petitioner is willing to deposit 50% of the cheque amount, before the trial Court. Hence, he prayed for granting suspension of sentence to the petitioner.

5. Considering the fact that there are arguable points raised in revision and taking into consideration, facts and circumstances of the case and that it is likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence, bail and exempt the petitioner from surrendering before the Trial Court on the following conditions, till the disposal of the above Criminal Revision:

i) Petitioner is directed to deposit 50% of cheque amount to the credit of S.T.C.No.102 of 2018 dated 21.02.2020 on the file of Judicial Magistrate, Fast Track Court (M.L.), Theni, within a period of four weeks from the date of receipt of a copy of this order, failing which the sentence suspended shall stand automatically vacated and respondent is at liberty to execute the sentence imposed by the trial Court against the petitioner in the manner known to law;

(ii) Any amount already paid shall be deducted while reckoning 50% of cheque amount directed in clause (i);

(iii) On such deposit, petitioner is directed to be enlarged on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two

¹ Atul Alias Ashutosh vs State of Madhya Pradesh, (2024) 3 SCC 663



sureties each for a like sum to the satisfaction of Judicial Magistrate, Fast Track Court (M.L.), Theni;

iv) Petitioner and sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain a copy of their Aadhaar card or Bank passbook to ensure their identity;

v) Petitioner shall appear and sign before Judicial Magistrate, Fast Track Court (M.L.), Theni, on the first working day of every month at 10.30 a.m., until the disposal of the revision;

vi) In case, petitioner is not able to appear before the said Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. (corresponding to 355 B.N.S.S) and shall appear before the said Court on any other day in lieu of the date of his absence, as directed by the said Court.

6. Accordingly, these Criminal Miscellaneous Petitions are **ordered**.

19-02-2026

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To

- 1.The Judicial Magistrate Fast Track Court (M.L),
Theni.
- 2.The Principal Sessions Judge,
Theni.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.