



CRL MP(MD) NOs. 330 and 331 of 2026
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08-01-2026

CORAM

THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) NOs. 330 and 331 of 2026

in

CRL RC(MD) NO. 24 of 2026

Govindharaj

Petitioner(s)
in both petitions

Vs

Rajagopalan

Respondent(s)
in both petitions

For Petitioner(s):

Mr.M.Jayakumar

Prayer for CrI.M.P(MD)No.330 of 2026:

To Suspend the Sentence passed against the petitioner in CrI.A.No.213 of 2023 dated 09.12.2025 on the file of the Principal Sessions Judge, Thanjavur confirming the Judgment and sentence passed in S.T.C.No.251 of 2019 dated 25.04.2023 on the file of the Judicial Magistrate Fast Track Court Magistrate Level, Thanjavur.

Prayer for CrI.M.P(MD)No.18911/2025:

To Exemption for surrendering before the trial court in CrI.A.No.213 of 2023 dated 09.12.2025 on the file of the Principle Sessions Judge, Thanjavur against the Judgment in S.T.C.No.251 of 2019 dated 25.04.2023 on the file of the Judicial Magistrate Fast Track Court Magistrate Level, Thanjavur.

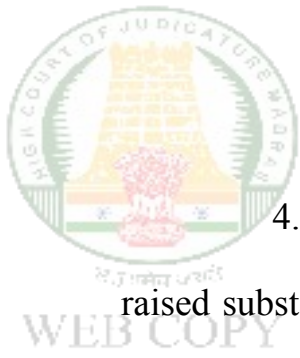


COMMON ORDER

Heard Mr.Jayakumar, learned Counsel for the petitioner.

2.Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by the Judicial Magistrate Fast Track Court Magistrate Level, Thanjavur in S.T.C.No.251 of 2019 dated 25.04.2023, which was confirmed by Principle Sessions Judge, Thanjavur in Crl.A.No.213 of 2023 dated 09.12.2025 and to exempt the petitioner from surrendering before the Court below.

3.Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate Fast Track Court Magistrate Level, Thanjavur for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.251 of 2019 dated 25.04.2023 and sentenced him to undergo one year Simple Imprisonment and to pay compensation of Rs.5,00,000/- to respondent within one month, in default of such payment and to undergo two months Simple Imprisonment. Aggrieved, petitioner filed criminal appeal in Crl.A.No.213 of 2023 before Principal Sessions Judge, Thanjavur and the lower Appellate Court, by the judgment dated 25.04.2023 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.(MD)No.24 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 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.251 of 2019 dated 25.04.2023 on the file of Judicial Magistrate Fast Track Court Magistrate Level, Thanjavur, 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
Magistrate Level, Thanjavur;

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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 pass Book to ensure their identity;

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

vi) In case, if petitioner 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. (corresponding to 355 B.N.S.S) 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. Accordingly, these Criminal Miscellaneous Petitions are **ordered**.

08-01-2026
(1/2)

rgm



To

1.The Judicial Magistrate Fast Track Court Magistrate Level, Thanjavur

2. Principal Sessions Judge, Thanjavur

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.