



CRL MP(MD) NOs. 709 and 711 of 2026
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12-01-2025

CORAM

THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) NOs. 709 and 711 of 2026

in

CRL RC(MD) NO.55 of 2026

M.Devika

Petitioner(s)
in both petitions

Vs

M.Chinnaiyan

Respondent(s)
in both petitions

For Petitioner(s):

Mr.S.Manoj Kumar

Prayer for Crl.M.P(MD)No.709/2026:

To suspend the sentence of imprisonment and sentence imposed in Crl.A.No. 241 of 2023 on the file of the District and Sessions Judge, Karur dated 19.11.2025 by confirming the conviction made in STC.No.405/2019 on the file of the Judicial Magistrate, Fast Track Court @ Magistrate Level, Karur, dated 25.08.2023, pending disposal of the Criminal Revision.

Prayer for Crl.M.P(MD)No.711/2026:

To exempt the petitioner from surrender in pursuant to the judgment in Crl.A.No.241 of 2023 on the file of the District and Sessions Judge, Karur dated 19.11.2025 by confirming the conviction made in STC.No.405/2019 on the file of the Judicial Magistrate, Fast Track Court @ Magistrate Level, Karur, dated 25.08.2023, pending disposal of the Criminal Revision.



COMMON ORDER

WEB COPY

Heard Mr.S.Manojkumar, learned Counsel for petitioner.

2.Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate, Fast Track Court @ Magistrate Level, Karur in S.T.C.No.405 of 2019 dated 25.08.2023, which was confirmed by District and Sessions Judge, Karur in CrI.A.No.241 of 2023 dated 19.11.2025 and to exempt the petitioner from surrendering before the Court below.

3.Learned counsel for petitioner would submit that petitioner was convicted for the offence under Section 138 of Negotiable Instruments Act by Judicial Magistrate, Fast Track Court @ Magistrate Level, Karur in S.T.C.No.405 of 2019 dated 25.08.2023 and sentenced to undergo simple imprisonment for one year, and to pay compensation of Rs.4,00,000/- to the respondent within a period of one month under Section 357(3) of Cr.PC, in default to undergo one month simple imprisonment. Aggrieved, petitioner filed criminal appeal in CrI.A.No.241 of 2023 before District and Sessions Judge, Karur and the lower Appellate Court, by the judgment dated 19.11.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed CrI.R.C.(MD)No.55 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 petitioner also paid fine amount as per the order of the trial Court; and that to show his bonafides, he is willing to deposit 50% of the cheque amount, before the trial Court. Hence, he prayed for granting suspension of sentence and bail 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.405 of 2019 dated 25.08.2023 on the file of Judicial Magistrate, Fast Track Court @ Magistrate Level, Karur, 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, Karur;

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, Karur, 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**.

12-01-2026
(1/2)

rgm



To

1. The Judicial Magistrate, Fast Track Court @ Magistrate Level, Karur

2. The District and Sessions Judge, Karur

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