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CRL MP(MD) NO.981 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20-01-2026

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) NO.981 of 2026

in

CRL RC(MD) NO. 68 of 2026

R.Muthuraj

Petitioner

Vs

S.Mohamed

Respondent

For Petitioner(s):

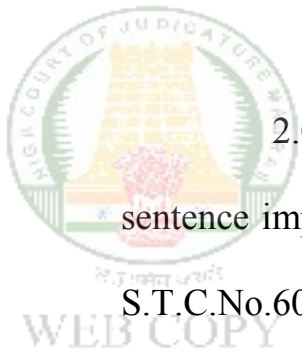
Mr.G.Aravinthan

Prayer:

To direct the petitioner be released on bail, by suspending the sentence imposed upon the petitioner under section 138 of NI Act, and sentencing him to undergo S.I. of 10 months, and to Pay Compensation of Rs.13,32,000/- in default to pay the compensation amount, the petitioner has to undergo further simple imprisonment for a period of 2 months, by a judgment dated 25.02.2019 made in S.T.C.No.601 of 2018 by the Fast Track Court (Magistrate Level), Nagercoil, and confirmed by the judgment dated 04.11.2025 passed in C.A.No.44 of 2019, on the file of the Sessions Judge, Fast Track Mahila Court, Nagercoil, pending disposal of the above Criminal Revision Case.

ORDER

Heard Mr.G.Aravinthan, learned Counsel for petitioner.



2.Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Fast Track Court (Magistrate Level), Nagercoil in S.T.C.No.601 of 2018 dated 25.02.2019, which was confirmed by Sessions Judge, Fast Track Mahila Court, Nagercoil in C.A.No.44 of 2019 dated 04.11.2025.

3.Learned counsel for petitioner would submit that petitioner was convicted by Fast Track Court (Magistrate Level), Nagercoil for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.601 of 2018 dated 25.02.2019 and sentenced him to undergo ten months simple imprisonment and to pay compensation of Rs.13,32,000/- to respondent and in default to undergo two months simple imprisonment. Aggrieved, petitioner filed criminal appeal in C.A.No.44 of 2019 before Sessions Judge, Fast Track Mahila Court, Nagercoil and the lower Appellate Court, by the judgment dated 04.11.2025, dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.(MD)No.68 of 2026, before this Court along with the instant miscellaneous petitions seeking suspension of sentence and bail.

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 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 and bail, 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.601 of 2018 dated 25.02.2019 on the file of Fast Track Court (Magistrate Level), Nagercoil, 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 sureties each for a like sum to the satisfaction of Fast Track Court (Magistrate Level), Nagercoil;

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;

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



v) Petitioner shall appear and sign before Fast Track Court (Magistrate Level), Nagercoil, 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, this Criminal Miscellaneous Petition is **ordered**.

20-01-2026

rgm



To

1.The Fast Track Court (Magistrate Level), Nagercoil

2.The Sessions Judge, Fast Track Mahila Court, Nagercoil

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