



WEB COPY

CRL MP(MD) NO.811 of 2026
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12-01-2026

CORAM

THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) NO.811 of 2026

in

CRL RC(MD) NO.60 of 2026

Selvakumar

Petitioner(s)
in both petitions

Vs

Vinayagam

Respondent(s)
in both petitions

For Petitioner(s):

Mr.V.Santhakumaresan

Prayer:

To Suspend the sentence imposed against the petitioner by the Judgment of conviction and sentence passed by the Honble VI Addl District and Sessions Judge, Madurai in Crl.A.No.118/2024 dated 20.09.2025 by confirming the judgment of conviction and

ORDER

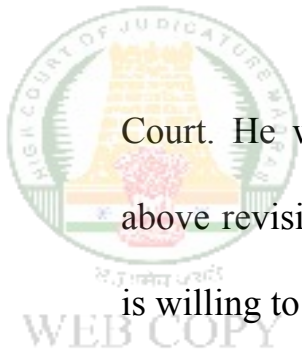
Heard Mr.V.Santhakumaresan, learned Counsel for petitioner.



2.Criminal Miscellaneous Petition has been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate No.1, FTC, Madurai District in S.T.C.No.38 of 2022 dated 06.06.2024, which was confirmed by VI Additional District and Sessions Judge, Madurai in Crl.A.No.118 of 2024, dated 20.09.2025.

3.Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate No.1, FTC, Madurai District for offence under Section 138 of the Negotiable Instruments Act and (i) sentenced him to undergo simple imprisonment for one year, for offence under Section 255(2) of CrPC; (ii) to pay compensation of Rs.3,00,000/- to the respondent, in default to undergo three months simple imprisonment, for the offence under Section 357(3) CrPC. Aggrieved, petitioner filed criminal appeal in Crl.A.No.118 of 2024 before VI Additional District and Sessions Judge, Madurai and the lower Appellate Court, by the judgment dated 20.09.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.(MD)No.60 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 there are contradictions in evidence of P.W.1(the complainant) in his cross-examination. He would further submit that petitioner has paid a sum of Rs.60,000/- in the First Appellate



Court. He would further submit that petitioner has raised substantial grounds 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, 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.38 of 2022 dated 06.06.2024 on the file of Judicial Magistrate No.1, FTC, Madurai District, 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 Judicial Magistrate No.1, FTC, Madurai District;

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



iv) Petitioner and sureties shall affix their photographs and Left 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 No.1, FTC, Madurai District, on the first working day of every month at 10.30 a.m., until the disposal of the revision;

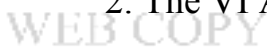
vi) In case, if petitioner is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. (corresponding to 355 B.N.S.S) and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the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

6. Accordingly, this Criminal Miscellaneous Petition is **ordered**.

12-01-2026
(1/2)

rgm

Note: Issue order copy on 12.01.2026



- <https://www.mhc.tn.gov.in/judis>