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CRL MP(MD) No.2734 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09-02-2026

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) No.2734 of 2026

IN

CRL RC(MD) No.228 of 2026

A.V.Senthilkumar

Petitioner(s)

Vs

A.Arunachalam

Respondent(s)

For Petitioner(s):

Mr.M.Prabhakaran

Prayer for Crl.M.P(MD)No.2734/2026:

To pass an order of Suspending the sentence of imprisonment imposed in the judgment dated 19.10.2023 in CC No.73 of 2018 on the file of the Learned Judicial Magistrate Fast Track Court (at magistrate Level), Karur, which is confirmed in Crl.A.No.38 of 2024 on the file of District and Sessions Court, Karur, dated 26.11.2025, till the disposal of the Criminal Revision Case.

ORDER

Heard Mr.M.Prabhakaran, learned Counsel for the petitioner.



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2.Criminal Miscellaneous Petition has been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate, Fast Track Court at Magisterial Level, Karur in C.C.No.73 of 2018 dated 19.10.2023, which was confirmed by District and Sessions Court, Karur in Crl.A.No.38 of 2024, dated 26.11.2025.

3.Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate, Fast Track Court at Magisterial Level, Karur for offence under Section 138 of the Negotiable Instruments Act in C.C.No.73 of 2018 dated 19.10.2023 and sentenced to undergo one year Simple Imprisonment and to pay compensation of Rs.9,00,000/- to respondent within a period of one month, in-default, to undergo one month simple imprisonment. Aggrieved, petitioner filed criminal appeal in Crl.A.No.38 of 2024 before District and Sessions Court, Karur and the lower Appellate Court, by the judgment dated 26.11.2025, dismissed the appeal by confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.(MD)No.228 of 2026 before this Court along with the instant miscellaneous petition 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 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 C.C.No.73 of 2018 dated 19.10.2023 on the file of Judicial Magistrate, Fast Track Court at Magisterial 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);

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



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(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, Fast Track Court at Magisterial 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 at Magisterial Level, Karur, 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, this Criminal Miscellaneous Petition is **ordered**.

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To

1.The Judicial Magistrate, Fast Track Court at Magisterial Level,
Karur.

2.The District and Sessions Judge,
Karur.



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MOHAMMED SHAFFIQ, J.

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in
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