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CRL MP(MD) Nos.989 and 990 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) Nos.989 and 990 of 2026

in

CRL RC(MD)No. 72 of 2026

G.Premkumar

Petitioner

Vs

C.Ganesan

Respondent

For Petitioner(s):

Mr.R.Suriya Narayanan

PRAYER in CrI.M.P.(MD).No.989 of 2026 :-

To Suspend the Sentence passed by the learned District and Sessions Judge, Karur in CrI.A.No.207 of 2023 dated 03.11.2025, by confirming the judgment of conviction and sentence passed by the learned Judicial Magistrate, Fast Tract Court @ Magistrate Level, Karur in C.C.No.238 of 2017 dated 26.10.2023 and enlarge the petitioners on bail pending disposal of the above appeal.

PRAYER in CrI.M.P.(MD).No.990 of 2026 :-

To Exempt from surrendering before the trial court pertaining to the impugned judgment of conviction and Sentence passed by the learned District and Sessions Judge, Karur in CrI.A.No.207 of 2023 dated 03.11.2025, by confirming the judgment of conviction and sentence passed by the learned Judicial Magistrate, Fast Tract Court @ Magistrate Level, Karur in C.C.No.238 of 2017 dated 26.10.2023 and enlarge the petitioners on bail pending disposal of the above appeal.

COMMON ORDER



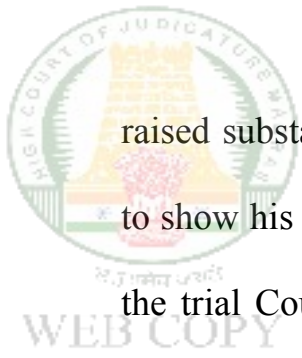
Heard Mr.R.Suriya Narayanan, learned Counsel for petitioner.

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2. Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate, Fast Tract Court @ Magistrate Level, Karur, Karur District, in C.C.No.238 of 2017 dated 26.10.2023, which was confirmed by District and Sessions Judge, Karur in CrI.A.No.207 of 2023 dated 03.11.2025 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 Tract Court @ Magistrate Level, Karur, Karur District, for offence under Section 138 of the Negotiable Instruments Act in C.C.No.238 of 2017 dated 26.10.2023 and sentenced him to undergo one year simple imprisonment and to pay compensation of Rs.3,50,000/- to respondent, and in default to undergo one month simple imprisonment. Aggrieved, petitioner filed criminal appeal in CrI.A.No.207 of 2023 before District and Sessions Judge, Karur and the lower Appellate Court, by the judgment dated 26.10.2023 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed CrI.R.C.(MD)No.72 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 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 C.C.No.238 of 2017 dated 26.10.2023 on the file of Judicial Magistrate, Fast Tract Court @ Magistrate Level, Karur, Karur 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, Fast Tract Court @

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



Magistrate Level, Karur, Karur District;

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 Tract Court @ Magistrate Level, Karur, Karur 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, these Criminal Miscellaneous Petitions are **ordered**.

20-01-2026

rgm



To

1.The Judicial Magistrate, Fast Tract Court @ Magistrate Level, Karur, Karur District

2.The District and Sessions Judge, Karur

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