



CRL MP(MD) Nos.1561 & 1562 of 2026
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27-01-2026

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) Nos.1561 & 1562 of 2026

IN

CRL RC(MD) No.118 of 2026

G.Senthilkumar

Petitioner(s)
in both petitions

Vs

G.Ananthababu

Respondent(s)
in both petitions

For Petitioner(s):

M/s.E.Satheesh

Prayer for Crl.M.P(MD)No.1561/2026:

To suspend the sentence pursuant to the judgment of conviction render by the Principal District and Sessions Judge, Virudhunagar at Srivilliputhur in CA.No. 157/2023 dated 11.11.2025 by modifying the judgment in CC.No.227/2021 dated 26.10.2023 on the file of Judicial Magistrate, Fast Track Court, Srivilliputhur, pending disposal of the above Criminal Revision case.

Prayer for Crl.M.P(MD)No.1562/2026:

To exempt of petitioner surrender pursuant to the judgment of conviction render by the Principal District and Sessions Judge, Virudhunagar at Srivilliputhur in CA.No.157/2023 dated 11.11.2025 by modifying the judgment in CC.No.227/2021 dated 26.10.2023 on the file of the Judicial Magistrate, Fast Track Court, Srivilliputhur pending disposal of the above Criminal Revision case.



COMMON ORDER

Heard Mr.E.Satheesh, learned Counsel for the petitioner.

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2.Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate Fast Track Court, Srivilliputhur in C.C.No.227 of 2021 dated 26.10.2023, which was modified by Principal district and Sessions Judge, Virudhunagar @ Srivilliputhur in Crl.A.No.157 of 2023, dated 11.11.2025 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 Track Court, Srivilliputhur for offence under Section 138 of the Negotiable Instruments Act in C.C.No.227 of 2021 dated 26.10.2023 and sentenced to undergo one year Simple Imprisonment and to pay fine of Rs.5,000/-, in default, to undergo two months simple imprisonment. Aggrieved, petitioner filed criminal appeal in Crl.A.No.157 of 2023 before Principal District & Sessions Judge, Virudhunagar at Srivilliputhur and the lower Appellate Court, by the judgment dated 11.11.2025 partly allowed the appeal and modified the conviction and sentence passed by the trial Court. The relevant portion of the said order is extracted as such :

"i) In the result, the Criminal appeal is partly allowed.



ii) *The conviction passed by the learned Judicial Magistrate Fast Track Court, Srivilliputhur in C.C.No.227 of 2021, dated 26.10.2023 is confirmed. With respect to the sentence imposed by the trial Court is modified and the sentence of one year simple imprisonment imposed by the trial Court was cancelled, instead the appellant is directed to pay a compensation of Rs.3,40,000/- to the respondent within a period of two months from the date of receipt of the copy of the order, in-default, the appellant to undergo six months simple imprisonment."*

Aggrieved, petitioner filed CrI.R.C.(MD)No.118 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 compensation amount i.e., Rs.3,40,000/-, 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, bail and exempt the petitioner from surrendering before the trial court, on the following conditions, till the disposal of the above Criminal Revision:

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



i) Petitioner is directed to deposit 50% of compensation amount to the credit of C.C.No.227 of 2021 dated 26.10.2023 on the file of Judicial Magistrate, Fast Track Court, Srivilliputhur, 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 the 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 Principal District & Sessions Judge, Virudhunagar @ Srivilliputhur.

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 Principal District & Sessions Judge, Virudhunagar @ Srivilliputhur, 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, these Criminal Miscellaneous Petitions are **ordered**.

27-01-2026

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MOHAMMED SHAFFIQ, J

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To

1.The Judicial Magistrate, Fast Track Court,
Srivilliputhur.

2.The Principal District & Sessions Judge,
Virudhunagar @ Srivilliputhur.

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

ORDER
IN
CRL MP(MD). Nos.1561 & 1562 of 2026
in
CRL RC(MD)No.118 of 2026

Date : 27/01/2026

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