



CRL MP(MD) NO.4293 of 2026
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25-02-2026

CORAM

THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) No.4293 of 2026

in

CRL RC(MD)No.345 of 2026

Israfin Reeta

Petitioner(s)
in both petitions

Vs

Chellathurai

Respondent(s)
in both petitions

For Petitioner(s):

Mr.M.Sankar

Prayer:

To suspend the sentence of imprisonment imposed on the petitioner in Crl.A.No.5 of 2023 dated 10.11.2025 on the file of the Additional District and Sessions (Fast Track Court), Kanniyakumari at Nagercoil, pending disposal of the Criminal Revision Petition.

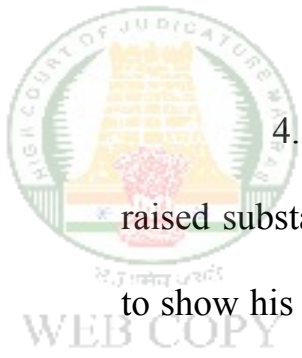


ORDER

Heard Mr.M.Sankar, learned Counsel for petitioner.

2. Criminal Miscellaneous Petition has been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate, Fast Track Court (Magistrate Level) Nagercoil in S.T.C.No.77 of 2017 dated 29.12.2022, which was confirmed by Additional District and Sessions (Fast Track Court) Kanniyakumari at Nagercoil in CrI.A.No.5 of 2023 dated 10.11.2025.

3. Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate, Fast Track Court (Magistrate Level) Nagercoil for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.77 of 2017 dated 29.12.2022 and sentenced to undergo six months Simple Imprisonment and to pay compensation of Rs.3,00,000/- as compensation to respondent within a period of two months from the date of judgment, in default to undergo two months Simple Imprisonment. Aggrieved, petitioner filed criminal appeal in CrI.A.No.5 of 2023 before Additional District and Sessions (Fast Track Court) Kanniyakumari at Nagercoil and the lower Appellate Court by judgment dated 10.11.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Challenging the above conviction and sentence, petitioner filed CrI.R.C.(MD)No.345 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 S.T.C.No.77 of 2017 dated 29.12.2022 on the file of Judicial Magistrate, 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 Judicial Magistrate, Fast Track Court (Magistrate Level) Nagercoil;

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, 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, 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**.

25-02-2026
(1/2)

rgm



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

2.The Additional District and Sessions (Fast Track Court), Kanniyakumari at Nagercoil

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