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CRL MP(MD) Nos.3958 & 3962 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20-02-2026

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) Nos.3958 & 3962 of 2026

IN

CRL RC(MD) No.324 of 2026

S.Radhika

Petitioner(s)
in both petitions

Vs

S.K.Nallusamy

Respondent(s)
in both petitions

For Petitioner(s):

Mr.A.Arivu Chandran

Prayer for Crl.M.P(MD)No.3958/2026:

To suspend the sentence imposed upon the petitioner in Crl.A.No.35/2024 dated 06.11.2025 on the file of the District and Sessions Judge, Karur which is confirmed judgment passed in C.C.No.165/2018 dated 20.12.2023 on the file of the learned Judicial Magistrate Fast Track Court @ Magisterial Level, Karur and enlarge the petitioner on bail pending disposal of above Criminal Revision Case.

Prayer for Crl.M.P(MD)No.3962/2026:

To exempt the petitioner from surrender before the learned Judicial Magistrate Fast Track Court @ Magisterial Level, Karur in connection with the Judgment passed in Crl.A.No.35/2024 dated 06.11.2025 on the file of the Learned District and Sessions Judge, Karur by confirming the order of conviction sentence passed by the learned Judicial Magistrate Fast Track Court @ Magisterial Level, Karur in C.C.No.165 of 2018 dated 20.12.2023.



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COMMON ORDER

Heard Mr.A.Arivu Chandran, learned Counsel for the petitioner.

2.Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate Fast Track Court @ Magisterial Level, Karur in C.C.No.165 of 2018 dated 20.12.2023, which was confirmed by District and Sessions Judge, Karur in Crl.A.No.35 of 2024, dated 06.11.2025 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 @ Magisterial Level, Karur for offence under Section 138 of the Negotiable Instruments Act in C.C.No.165 of 2018 dated 20.12.2023 and sentenced to undergo one year Simple Imprisonment and to pay compensation of Rs.2,00,000/- to respondent within one month, in-default, to undergo one month simple imprisonment. Aggrieved, petitioner filed criminal appeal in Crl.A.No.35 of 2024 before District and Sessions Judge, Karur and the lower Appellate Court, by the judgment dated 06.11.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.(MD)No.324 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 cheque amount in two installments, 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:

i) Petitioner is directed to deposit 25% of cheque amount to the credit of C.C.No.165 of 2018 dated 20.12.2023 on the file of Judicial Magistrate Fast Track Court @ Magisterial Level, Karur, within a period of four weeks from the date of receipt of a copy of this order and to deposit another 25% of cheque amount to the credit of C.C.No. 165 of 2018 dated 20.12.2023 on the file of Judicial Magistrate Fast Track Court @ Magisterial Level, Karur, within a period of two weeks thereafter, 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;

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



(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 her 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 @ 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 @ 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 trial Court on any day, she 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 her absence, as directed by the trial Court.



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6. Accordingly, these Criminal Miscellaneous Petitions are **ordered**.

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20-02-2026

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To

1. The District and Sessions Judge,
Karur.

2. The Judicial Magistrate Fast Track Court @ Magistrate Level,
Karur.



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MOHAMMED SHAFFIQ, J.

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in
Crl.RC(MD).No.324 of 2026

20.02.2026

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