



CRL MP(MD) Nos.2963 and 2964 of 2026
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10-02-2026

CORAM

THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) NOs. 2963 and 2964 of 2026

in

CRL RC(MD) NO.241 of 2026

Thirumalaipandi

Petitioner(s)
in both petitions

Vs

P.Arunprasath

Respondent(s)
in both petitions

For Petitioner(s):

M/s.T.Priya Dharshini

Prayer for Crl.M.P(MD)No.2963/2026:

To suspend the sentence pursuant to the judgment of conviction render by the Additional District and Sessions Judge, Srivilliputhur, in C.A.No.38/2022 dated 28.11.2025, by confirming the judgment in STC No.299/2021 dated 23.03.2022 on the file of Judicial Magistrate No.1, Sivakasi, pending disposal of the above Criminal Revision Petition.

Prayer for Crl.M.P(MD)No.2964/2026:

To exempt of the petitioner surrender pursuant to the judgment of conviction render by the Additional District and Sessions Judge, Srivilliputhur, in C.A.No.38/2022 dated 28.11.2025, by confirming the judgment in STC No.299/2021 dated 23.03.2022 on the file of Judicial Magistrate No.1, Sivakasi, pending disposal of the above Criminal Revision Petition.



COMMON ORDER

Heard M/s.T.Priya Dharshini, 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 No.1, Sivakasi in STC No.299 of 2021 dated 23.03.2022, which was confirmed by Additional District and Sessions Judge, Srivilliputhur in CrI.A.No.38 of 2022, dated 28.11.2025 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 No.1, Sivakasi for offence under Section 138 of the Negotiable Instruments Act in STC No.299 of 2021 dated 23.03.2022 and sentenced to undergo one year Simple Imprisonment and to pay compensation of Rs.3,04,020/- within three months to respondent, in default to undergo one month Simple Imprisonment. Aggrieved, petitioner filed criminal appeal in CrI.A.No.38 of 2022 before Additional District and Sessions Judge, Srivilliputhur and the lower Appellate Court by judgment dated 28.11.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed CrI.R.C.(MD)No.241 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 other substantial grounds in the above revision, which requires consideration; and that petitioner has already paid the entire cheque amount to respondent. Hence, she prayed for granting suspension of sentence to 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 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 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 No.1, Sivakasi;

ii) 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;

iii) Petitioner shall appear and sign before Judicial Magistrate No.1, Sivakasi, on the first working day of every month at 10.30 a.m., until the disposal of the revision;

iv) 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

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



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.

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

10-02-2026
(1/2)

rgm



To

1.The Judicial Magistrate No.1, Sivakasi

2.The Additional District and Sessions Judge, Srivilliputhur

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