



CRL MP(MD) NOs. 3233 and 3235 of 2026
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12-02-2026

CORAM

THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

WEB COPY

CRL MP(MD) NOs. 3233 and 3235 of 2026

in

CRL RC(MD) NO.261 of 2026

Pushpamary

Petitioner(s)
in both petitions

Vs

Muniraju

Respondent(s)
in both petitions

For Petitioner(s):

Mr.K.Guhan

Prayer for Crl.M.P(MD)No.3233/2026:

To Suspend the sentence imposed in S.T.C.No.02 of 2024 on the file of the Learned Judicial Magistrate Fast Track Court (at Judicial Magistrate Level), Uthamapalayam dated 19.10.2024 which was confirmed by the Principal Sessions Judge, Theni in Criminal Appeal No.158 of 2024 dated 23.01.2026 pending disposal of the above Criminal Revision petition.

Prayer for Crl.M.P(MD)No.3235/2025:

To exempt the petitioner from surrendering in S.T.C.No.02 of 2024 on the file of the Learned Judicial Magistrate Fast Track Court (at Judicial Magistrate Level), Uthamapalayam dated 19.10.2024 which was confirmed by the Principal Sessions Judge, Theni in Criminal Appeal No.158 of 2024 dated 23.01.2026 pending disposal of the above Criminal Revision petition.



COMMON ORDER

WEB COPY Heard Mr.K.Guhan learned counsel for petitioner.

2. Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate Fast Track Court (at Judicial Magistrate Level), Uthamapalayam in S.T.C.No.02 of 2024 dated 19.10.2024, which was confirmed by Principal Sessions Judge, Theni in Crl.A.No.158 of 2024 dated 23.01.2026 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 (at Judicial Magistrate Level), Uthamapalayam for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.02 of 2024 dated 19.10.2024 and sentenced to undergo one year Simple Imprisonment and to pay compensation of Rs.20,00,000/- to respondent. Aggrieved, petitioner filed criminal appeal in Crl.A.No.158 of 2024 before Principal Sessions Judge, Theni and the lower Appellate Court by judgment dated 23.01.2026 dismissed the appeal confirming the conviction and sentence passed by trial Court. Aggrieved, petitioner filed Crl.R.C.(MD)No.261 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.



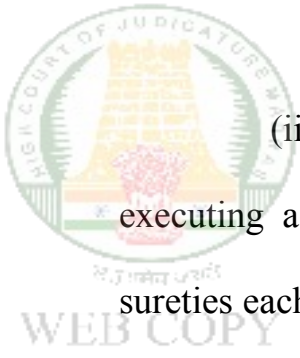
4. Learned Counsel for petitioner would further submit that petitioner has raised other substantial grounds in the above revision, which requires consideration; and that to show his bonafides, petitioner is willing to deposit 50% of the cheque amount, before the trial Court. Hence, he prayed for granting suspension of sentence to 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 deposit 50% of cheque amount to the credit of S.T.C.No.02 of 2024 dated 19.10.2024 on the file of Judicial Magistrate Fast Track Court (at Judicial Magistrate Level), Uthamapalayam, 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);

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



(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 (at Judicial Magistrate Level), Uthamapalayam;

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 (at Judicial Magistrate Level), Uthamapalayam, 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**.

12-02-2026
(1/2)

rgm



To

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

2.The Principal Sessions Judge, Theni .

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