



CRL MP(MD) NOs. 3499 and 3501 of 2026
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16-02-2026

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

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CRL MP(MD) NOs. 3499 and 3501 of 2026

in

CRL RC(MD) NO. 277 OF 2026

Ashok Murugan

Petitioner(s)
in both petitions

Vs

Ramkumar

Respondent(s)
in both petitions

For Petitioner(s):

Mr.S.Sarvagan Prabhu

Prayer for Crl.M.P(MD)No.3499 of 2026:

To suspend the sentence imposed in S.T.C.No.121 of 2020 by the Learned Judicial Magistrate No.I, Kodaikanal, Dindigul District dated 30.10.2023 convicting the revision petitioner for the offence U/s.138 NI Act and confirmed by the Learned Additional District Judge (Fast Track Court), Palani, Dindigul District in Cr.A.No.14 of 2024 dated 05.01.2026.

Prayer for Crl.M.P(MD)No.3501 of 2026:

To exempt the petitioner from surrender before the Learned Additional District Judge (Fast Track Court), Palani, Dindigul District in Criminal Appeal No.14 of 2024 dated 05.01.2026 by confirming the sentence imposed in S.T.C.No.121 of 2020 by the Learned Judicial Magistrate No.I, Kodaikanal, Dindigul District dated 30.10.2023.

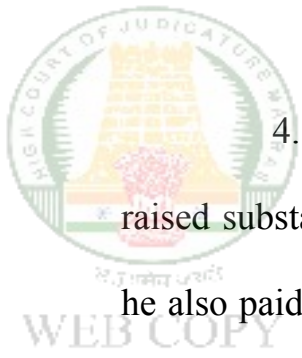


COMMON ORDER

Heard Mr.S.Sarvagan Prabhu, learned Counsel for petitioner.

2. Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate No.I, Kodaikanal, Dindigul District in S.T.C.No.121 of 2020 dated 30.10.2023, which was confirmed by Additional District Judge (Fast Track Court), Palani, Dindigul District in Crl.A.No.14 of 2024 dated 05.01.2026 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 No.I, Kodaikanal, Dindigul District for offence under Section 138 and 142 of the Negotiable Instruments Act in S.T.C.No.121 of 2020 dated 30.10.2023 and sentenced to undergo one year Simple Imprisonment and to pay compensation of Rs.32,00,000/- with 6% interest from the date of issue of cheque to respondent, in default to undergo six months Simple Imprisonment. Aggrieved, petitioner filed criminal appeal in Crl.A.No.14 of 2024 before Additional District Judge (Fast Track Court), Palani, Dindigul District and lower Appellate Court by judgment dated 05.01.2026 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.(MD)No.277 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.



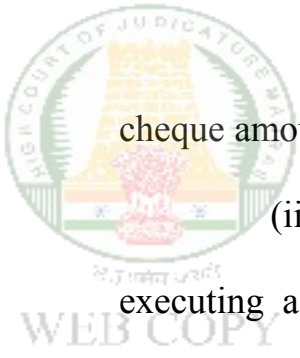
4. Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration; and that he also paid fine amount as per the order of trial Court; and that to show his bonafides, petitioner is willing to deposit 50% of the cheque amount in two installments, before the trial Court. Hence, he prayed for granting suspension of sentence and exempt the petitioner from surrender.

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 25% of cheque amount along with 6% interest to the credit of S.T.C.No.121 of 2020 dated 30.10.2023 on the file of Judicial Magistrate No.I, Kodaikanal, Dindigul District, within a period of four weeks from the date of receipt of a copy of this order. The remaining 25% of cheque amount with along 6% interest shall be paid within a period of two weeks therefrom. In any event, petitioner fails to comply with the said conditions, 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

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



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 No.I, Kodaikanal, Dindigul District;

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 No.I, Kodaikanal, Dindigul District, 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**.

16-02-2026
(1/2)

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To

1.The Judicial Magistrate No.I, Kodaikanal, Dindigul District

2.The Additional District Judge (Fast Track Court), Palani, Dindigul District

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