



CRL MP(MD) Nos. 4310 and 4311 of 2026
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25-02-2026

CORAM

THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) NOs. 4310 and 4311 of 2026

IN

CRL RC(MD) NO.353 of 2026

J.Nowsath

Petitioner(s)
in both petitions

Vs

P.Vivekanandhan

Respondent(s)
in both petitions

For Petitioner(s):

Mr.S.Manojkumar

Prayer for Crl.M.P(MD)No.4310 of 2026:

To suspend the sentence of imprisonment imposed in Crl.A.No.101 of 2025 on the file of the learned District and Sessions Judge, Karur dated 20.01.2026 by confirming the conviction made in S.T.C.No.222 of 2022 on the file of the Fast Track Court, Judicial Magistrate (At Magistrate Level), Karur dated 07.04.2025 and enlarge the petitioner on bail.

Prayer for Crl.M.P(MD)No.4311 of 2026:

To exempt the petitioner from surrender in pursuant to the judgment dated 20.01.2026 made in Crl.A.No.101 of 2025 on the file of the learned District and Sessions Judge, Karur by confirming the conviction made in S.T.C.No.222 of 2022 on the file of the Fast Track Court, Judicial Magistrate (At Magistrate Level), Karur dated 07.04.2025 and enlarge the petitioner on bail.

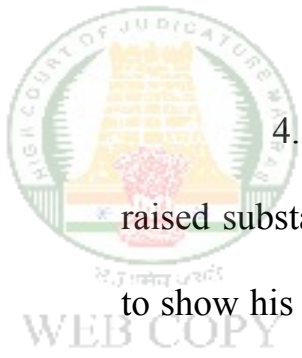


COMMON ORDER

Heard Mr.S.Manoj Kumar, learned Counsel for petitioner.

2. Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Fast Track Court, Judicial Magistrate (At Magistrate Level), Karur in S.T.C.No.222 of 2022 dated 07.04.2025, which was confirmed by District and Sessions Judge, Karur in CrI.A.No.101 of 2025 dated 20.01.2026 and to exempt petitioner from surrendering before the Court below.

3. Learned counsel for petitioner would submit that petitioner was convicted by Fast Track Court, Judicial Magistrate (At Magistrate Level), Karur for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.222 of 2022 dated 07.04.2025 and sentenced to undergo one year Simple Imprisonment and to pay compensation of Rs.6,00,000/- to respondent within a period of one month, in default to undergo one month Simple Imprisonment. Aggrieved, petitioner filed criminal appeal in CrI.A.No.101 of 2025 before District and Sessions Judge, Karur and lower Appellate Court by judgment dated 20.01.2026 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed CrI.R.C.(MD)No.353 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 the cheque amount, before the trial Court. Hence, he prayed for granting suspension of sentence, bail and exemption 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 50% of cheque amount to the credit of S.T.C.No.222 of 2022 dated 07.04.2025 on the file of Fast Track Court, Judicial Magistrate (At Magistrate Level), Karur, 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

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



sureties each for a like sum to the satisfaction of Fast Track Court, Judicial Magistrate (At Magistrate Level), Karur;

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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 Fast Track Court, Judicial Magistrate (At Magistrate 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 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**.

25-02-2026
(1/2)

rgm



To

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

2.The District & Sessions Judge, Karur District

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