



CRL MP(MD). Nos.4648 and 4650 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 26.02.2026

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD). Nos.4648 and 4650 of 2026
in

CRL RC(MD)No.334 of 2026

Muneeswaran

... Petitioner

Vs

Thomaskumar

... Respondent

PRAYER in CRL MP(MD). No.4648 of 2026 :-

To suspend the sentence of imprisonment imposed in C.A.No.111 of 2024 on the file of learned III Additional District Judge, Tirunelveli, vide judgment dated 23.10.2025 by which confirming the judgment and conviction order in C.C.No.199 of 2023 on the file of learned Additional District Munsif, Valliyoor, vide judgment dated 28.11.2023.

PRAYER in CRL MP(MD). No.4650 of 2026 :-

To exempt the petitioner from surrender in pursuant to judgment and conviction in C.A.No.111 of 2024 on the file of learned III Additional District Judge, Tirunelveli, vide judgment dated 23.10.2025 by which confirming the judgment and conviction order in C.C.No.199 of 2023 on the file of learned Additional District Munsif, Valliyoor, vide judgment dated 28.11.2023.



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For Petitioner : Mr. S.Micheal Heldon Kumar
Advocate.

COMMON ORDER

Heard Mr.S.Micheal Heldon Kumar, learned Counsel for the petitioner.

2.Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Additional District Munsif, Valliyoor in C.C.No.199 of 2023 dated 28.11.2023, which was confirmed by III Additional District Judge, Tirunelveli, in C.A.No.111 of 2024, dated 23.10.2025 and to exempt the petitioner from surrendering before the Court below.

3.Learned counsel for petitioner would submit that petitioner was convicted by Additional District Munsif, Valliyoor for offence under Section 138 of the Negotiable Instruments Act in C.C.No.199 of 2023 dated 28.11.2023 and sentenced to undergo 1½ years Simple Imprisonment and to pay compensation of Rs.2,65,000/- to respondent,



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in default, to undergo four months simple imprisonment. Aggrieved, petitioner filed criminal appeal in C.A.No.111 of 2024 before III Additional District Judge, Tirunelveli and the lower Appellate Court, by the judgment dated 23.10.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed CrI.R.C.(MD)No.334 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, after deducting amount, if any, already paid towards the subject cheque amount, 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



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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 50% of cheque amount to the credit of C.C.No.199 of 2023 on the file of Additional District Munsif, Valliyoor, ie. 25% shall be deposited within a period of two weeks from the date of receipt of a copy of this order and another 25% shall be deposited within a period of two weeks thereafter, failing which the sentence suspended shall stand automatically vacated and the 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 him 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 Additional District Munsif, Valliyoor;

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



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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 Additional District Munsif, Valliyoor, 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, 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 trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

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

26.02.2026

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MOHAMMED SHAFFIQ, J

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Note: Issue order copy on 04.03.2026

To

1. The Additional District Munsif,
Valliyoore
2. The III Additional District Judge,
Tirunelveli
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN

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in

CRL RC(MD) No.334 of 2026

Date : 26.02.2026