



CRL MP(MD). No.4983 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 25/03/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL MP(MD). No.4983 of 2026
in
CRL RC(MD). No.402 of 2026

Thangamuthu

... Petitioner

Vs

G. Marimuthu

... Respondent

PRAYER :-

To Suspend the sentence as per the judgment made in C.A. No. 202 of 2023 by the Principal Sessions Judge, Thanjavur dt. 03.01.2026 by confirming the judgment made in S.T.C. No. 152 of 2021 by the Learned Judicial Magistrate, Fast Tract at Magisterial Level, Thanjavur dated 14.06.2023 and enlarge the petitioner on bail.

For Petitioner : Mr. J.Shakila,
Advocate.

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed in S.T.C. No. 152 of 2021, dated 14.06.2023 passed by the learned Judicial Magistrate, Fast Tract at Magisterial Level,



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Thanjavur , confirmed in C.A. No. 202 of 2023 dated 03.01.2026 on the file of the learned Principal Sessions Judge, Thanjavur, pending disposal of this criminal revision petition.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 14.06.2023 for the offence under Section 138 of the Negotiable Instruments Act, 1881, and the trial Court sentenced him to undergo one year simple imprisonment and to pay a sum of Rs.2,35,000/- (Rupees Two Lakhs Thirty Five Thousand only) to the defacto complainant within a period of one month from the date of the judgment, in S.T.C. No. 152 of 2021 on the file of the learned Judicial Magistrate, Fast Tract at Magisterial Level, Thanjavur.

3. The learned Principal Sessions Judge, Thanjavur, confirmed the conviction and sentence, and dismissed C.A. No. 202 of 2023 dated 03.01.2026. Challenging the same, the present Criminal Revision Case has been filed before this Court along with this Criminal Miscellaneous Petition seeking suspension of sentence.



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4. The learned counsel for the petitioner submitted that there are several infirmities in the prosecution case, and also there are contradictions in material particulars between the evidence of the prosecution witnesses. Further, he submitted that the petitioner has already deposited 20% of the compensation before the learned trial Court.

5. This Court has carefully considered the rival contentions put forward by either side and also perused the materials available on record.

6. The learned counsel for the petitioner pointed out that there are certain infirmities and inconsistencies in this case, and also there are certain contradictions in material particulars. The fact remains that there are arguable points involved in this criminal revision and further, the criminal revision is not likely to be taken up for final hearing in the near future and as such, and also considering the bonafide expressed by the petitioner, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.



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7. Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the revision with the following directions :

(i) The petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Fast Tract at Magisterial Level, Thanjavur ;

(ii) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and

(iii) The petitioner shall appear before the learned trial Court, on all working days at 10.30 a.m., until further orders. (iv) The learned trial Court shall re-deposit the said sum in a Nationalised Bank, so that, the amount accrues interest and the same can be disbursed depending upon the outcome of the Criminal Revision Case in Crl.R.C.(MD)No.402 of 2026.

8. Notice to the respondent, through Court as well as privately, returnable in four weeks.



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WEB COPY 10. List the matter after four weeks.

25.03.2026

Note: Issue order copy on **26.03.2026**

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To

1. The Principal Sessions Judge, Thanjavur.
2. The Judicial Magistrate, Fast Tract at Magisterial Level, Thanjavur.



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L. VICTORIA GOWRI,J

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Date : 25/03/2026