



Crl.M.P.(MD)No.5509 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.03.2026

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THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

CRL MP(MD) No.5509 of 2026

in

CRL RC(MD) No.452 of 2026

A.Jeyasankar

... Petitioner/Petitioner

Vs.

R.Manimozhi

... Respondent/Respondent

Prayer : This Criminal Miscellaneous Petition is filed under Section 438 of BNSS to suspend conviction and the sentence of 6 months simple imprisonment imposed against the petitioner by the Learned Judicial Magistrate Court No.1, Ramanathapuram, by Judgment dated 07.10.2024 vide S.T.C.No. 1000/2022 and confirmed by the Learned Additional District and Sessions Court, Ramanathapuram by judgment dated 06.02.2026 vide Crl.A.No.67 of 2024 and enlarge the petitioner on bail.

For Petitioner : Mr.D.Shanmugaraja Sethupathi

ORDER

This Criminal Miscellaneous Petition has been filed to suspend conviction and the sentence of 6 months simple imprisonment imposed against the petitioner by the Learned Judicial Magistrate Court No.1, Ramanathapuram,



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by Judgment dated 07.10.2024 vide S.T.C.No.1000 of 2022 and confirmed by the Learned Additional District and Sessions Court, Ramanathapuram by judgment dated 06.02.2026 vide Crl.A.No.67 of 2024 and enlarge the petitioner on bail.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 07.10.2024 for the offence under Section 138 r/w 142 of the Negotiable Instrument Act, 1881, and the trial Court sentenced him to undergo simple imprisonment for a six months and to pay a cheque amount of Rs.21,17,910/- (Rupees Twenty One Lakhs Seventeen Thousand Nine Hundred and Ten only) as compensation to the respondent within a period of one month, in default, to undergo simple imprisonment for a period of one month, in S.T.C.No.1000 of 2022 on the file of the learned Judicial Magistrate Court No.1, Ramanathapuram.

3. The learned Additional District and Sessions Court, Ramanathapuram, confirmed the conviction and sentence, and dismissed the Crl.A.No.67 of 2024, dated 06.02.2026. 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 10% of the compensation amount 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.

7. Accordingly, this petition is allowed and the substantive sentence of



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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 Court No.1, Ramanathapuram;

(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 Judicial Magistrate Court No.1, Ramanathapuram, 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.452 of 2026.

9. Notice.

10. List the matter on 06.04.2026.

12.03.2026

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- 1.The Additional District and Sessions Court,
Ramanathapuram.
- 2.The Judicial Magistrate Court No.1,
Ramanathapuram.
- 3.Do through the Chief Judicial Magistrate,
Ramanathapuram District.



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L.VICTORIA GOWRI, J.,

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