



CRL MP(MD). No.6087 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 18/03/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL MP(MD). No.6087 of 2026
in
CRL RC(MD). No.505 of 2026

V.R. Arunachalam

... Petitioner

Vs

M.Arockiyamary

... Respondent

PRAYER :-

To Suspend the sentence imposed by the Learned II Addl District and Sessions Judge, Thanjavur made in Criminal Appeal No.139/2025 dt. 07.02.2026 confirming the conviction and sentence imposed by the learned Judicial Magistrate (Fast Track) Court, Thanjavur in STC No.143 of 2020, pending disposal of this Criminal Revision.

For Petitioner : Mr. O.R.Gokul Abimanyu
Advocate.

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed in STC No.143 of 2020, dated 10.11.2025 passed by



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the learned Judicial Magistrate (Fast Track) Court, Thanjavur, confirmed in Criminal Appeal No.139/2025 dated 07.02.2026 on the file of the II Addl District and 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 10.11.2025 for the offence under Section 138 of the Negotiable Instruments Act, 1881, and the trial Court sentenced him to undergo simple imprisonment for a period of one year and to pay a cheque amount of Rs.18 Lakhs to the respondent within a period of one month from the date of judgment as compensation, in default to undergo simple imprisonment for two months of simple imprisonment for the offence under Section 138 of the Negotiable Instrument Act, in STC No.143 of 2020 on the file of the learned Fast Track Judicial Magistrate, at Magistrate Level, Karur.

3. The learned II Addl District and Sessions Judge, Thanjavur, confirmed the conviction and sentence, and dismissed Criminal Appeal No.139/2025 dated 02.07.2025. Challenging the same, the present



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Criminal Revision Case has been filed before this Court along with this Criminal Miscellaneous Petition seeking suspension of sentence.

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 amount (ie., Rs.3,60,000/-) 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



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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 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 Track), 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.505 of 2026.



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

10. List the matter after four weeks.

18.03.2026

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To:-

- 1.The II Additional District and Sessions Judge, Thanjavur
- 2.The Judicial Magistrate (Fast Track) Court, Thanjavur
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L. VICTORIA GOWRI,J

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