

Crl.M.P.(MD)No.8149 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.04.2026

CORAM

THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

CRL MP(MD) No.8149 of 2026

in

CRL RC(MD) No.679 of 2026

P.Jothibasu

... Petitioner/Petitioner

Vs.

P.Mahendran

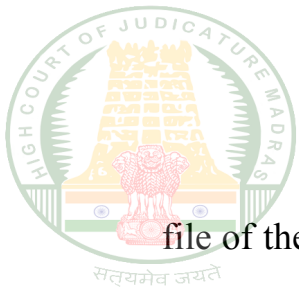
... Respondent/Respondent

Prayer : This Criminal Miscellaneous Petition is filed under Section 438 of BNSS to suspend the sentence imposed on the petitioner in C.C.No.182 of 2019 on the file of the Learned Judicial Magistrate/Fast Track Court, Karur dated 14.11.2024 and confirming the same by dismissing the Criminal Appeal No.236 of 2024 on the file of the Principal Sessions Court, Karur dated 24.11.2025 for default pending disposal of the above criminal revision case.

For Petitioner : Mr.I.Velpradeep

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner in C.C.No.182 of 2019 on the file of the Learned Judicial Magistrate/Fast Track Court, Karur dated 14.11.2024 and confirming the same by dismissing the Criminal Appeal No.236 of 2024 on the



Crl.M.P.(MD)No.8149 of 2026

file of the Principal Sessions Court, Karur dated 24.11.2025 for default pending disposal of the above criminal revision case.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 14.11.2024 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 period of one year and to pay an amount of Rs.5,00,000/- (Rupees Five Lakhs only) as compensation to the respondent within a period of one month, in default, to undergo simple imprisonment for a period of one months, in C.C.No.182 of 2019 on the file of the learned Judicial Magistrate/Fast Track Court, Karur.

3. The learned Principal Sessions Court, Karur , confirmed the conviction and sentence, and dismissed the Crl.A.No.236 of 2024, dated 24.11.2025. Challenging the same, the present 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



Crl.M.P.(MD)No.8149 of 2026

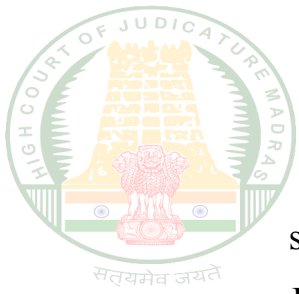
particulars between the evidence of the prosecution witnesses. Further, it was submitted that the petitioner has already deposited 25% of the compensation amount before the Judicial Magistrate/Fast Track Court, Karur.

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 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



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Crl.M.P.(MD)No.8149 of 2026

sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate/Fast Track Court, Karur;

(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/Fast Track Court, Karur, 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.679 of 2026.

9. Notice.

10. List the matter after four weeks.

17.04.2026

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To

1.The Principal Sessions Court,
Karur.

2.The Judicial Magistrate/Fast Track Court,
Karur.

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Crl.M.P.(MD)No.8149 of 2026

3.Do through the Chief Judicial Magistrate,
Tenkasi District.



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Crl.M.P.(MD)No.8149 of 2026

L.VICTORIA GOWRI, J.,

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CRL RC(MD)No.679 of 2026

17.04.2026