



Crl.M.P.(MD)No.9701 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.06.2026

CORAM

THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

CRL MP(MD) No.9701 of 2026

in

CRL RC(MD) No.827 of 2026

S.Dhanavel

... Petitioner/Petitioner

Vs.

M/s.Sukra Auto Finance,
Rep.by its Partner,
K.Tamilvanan

... Respondent/Respondent

Prayer : This Criminal Miscellaneous Petition is filed under Section 438 of BNSS to suspend the sentence imposed in judgment dated 06.02.2026 made in Crl.A.No.233 of 2024 on the file of the learned District and Sessions Judge, Karur by conforming the Judgment dated 26.09.2024 made in C.C.No.232 of 2018 by learned Judicial Magistrate, Fast Track Court @ Magisterial Level, Karur and release the petitioner on bail pending criminal revision petition.

For Petitioner : Mr.B.Mohan

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed in judgment dated 06.02.2026 made in Crl.A.No.233 of 2024 on the file of the learned District and Sessions Judge, Karur by conforming the

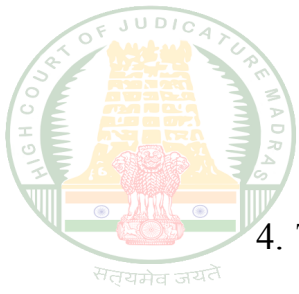


Crl.M.P.(MD)No.9701 of 2026

Judgment dated 26.09.2024 made in C.C.No.232 of 2018 by learned Judicial Magistrate, Fast Track Court @ Magisterial Level, Karur and release the petitioner on bail pending criminal revision petition.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 26.09.2024 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 six months and to pay a cheque amount of Rs.18,43,350/- (Rupees Eighteen Lakhs Forty Three Thousand Three Hundred and Fifty 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 C.C.No.232 of 2018 on the file of the learned Judicial Magistrate, Fast Track Court @ Magisterial Level, Karur.

3. The learned District and Sessions Judge, Karur confirmed the conviction and sentence, and dismissed the C.A.No.233 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.



Crl.M.P.(MD)No.9701 of 2026

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 cheque 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 imprisonment alone is suspended pending disposal of the revision with the



Crl.M.P.(MD)No.9701 of 2026

following directions :

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(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 Court @ Magisterial Level, 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.

8. Notice.

01.06.2026

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To

1.The District and Sessions Judge,
Karur.

2.The Judicial Magistrate,
Fast Track Court @ Magisterial Level, Karur.

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

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Crl.M.P.(MD)No.9701 of 2026

L.VICTORIA GOWRI, J.,

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Crl. MP(MD)No.9701 of 2026
in
CRL RC(MD)No.827 of 2026

01.06.2026

(2/3)