

Crl.M.P.(MD)No.8194 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.8194 of 2026

in

CRL RC(MD) No.689 of 2026

P.Manikam

... Petitioner/Petitioner

Vs.

M.Mohamed Hanifa

... Respondent/Respondent

Prayer : This Criminal Miscellaneous Petition is filed under Section 438 of BNSS to suspend the sentence passed in Judgment dated 13.03.2026 in Criminal Appeal No.11 of 2023 passed by the Additional District and Sessions Judge (FTC), Tenkasi confirming the order dated 11.01.2023 in S.T.C.No.335 of 2020 before the District Munsif cum Judicial Magistrate Court, Shenkottai pending disposal of the criminal revision case.

For Petitioner : M/s.A.N.Meenakshi

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence passed in Judgment dated 13.03.2026 in Criminal Appeal No.11 of 2023 passed by the Additional District and Sessions Judge (FTC), Tenkasi confirming the order dated 11.01.2023 in S.T.C.No.335 of 2020 before the

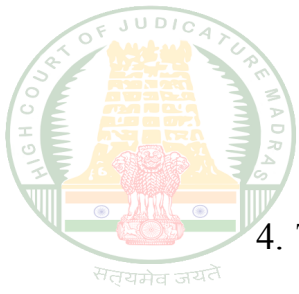


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District Munsif cum Judicial Magistrate Court, Shenkottai pending disposal of the criminal revision case.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 11.02.2023 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 two years and to pay an amount of Rs.10,00,000/- (Rupees Ten Lakhs only) as compensation to the respondent within a period of one month, in default, to undergo simple imprisonment for a period of six months, in S.T.C.No.335 of 2020 on the file of the learned District Munsif cum Judicial Magistrate, Shenkottai.

3. The learned Additional District and Sessions Judge (FTC), Tenkasi, confirmed the conviction and sentence, and dismissed the Crl.A.No.11 of 2023, dated 13.03.2026. 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, it was submitted that the petitioner has already deposited 20% of the compensation amount before the District Munsif cum Judicial Magistrate, Shenkottai.

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



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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 District Munsif cum Judicial Magistrate, Shenkottai;

(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 District Munsif cum Judicial Magistrate, Shenkottai, 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.689 of 2026.

9. Notice.

10. List the matter after four weeks.

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- 1.The Additional District and Sessions Judge (FTC),
Tenkasi.
- 2.The District Munsif cum Judicial Magistrate,
Shenkottai.
- 3.Do through the Chief Judicial Magistrate,
Tenkasi District.



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L.VICTORIA GOWRI, J.,

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