



*Crl.M.P.(MD)No.7961 of 2026*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.04.2026

CORAM

**THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI**

CRL MP(MD) No.7961 of 2026

in

CRL RC(MD) No.658 of 2026

Karthick Textiles,  
Rep.by its Proprietor  
E.Mayilsamy

... Petitioner/Petitioner  
Appellant/Accused

Vs.

Prabhu Spinning Mills (P) Ltd.,  
Rep.by its Factory Manager,  
E.Kanagasuburathinam.

... Respondent/Respondent  
Respondent/Complainant

**Prayer :** This Criminal Miscellaneous Petition is filed under Section 438 of BNSS to suspend the sentence imposed by the Learned Judicial Magistrate Court No.I, Dindigul in C.C.No.689 of 2021 dated 30.03.2023 which was confirmed by the Principal District and Sessions Court, Dindigul in Crl.A.No. 40 of 2023 by the judgment dated 04.02.2026.

For Petitioner : Mr.S.Malaikani

**ORDER**

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed by the Learned Judicial Magistrate Court No.I, Dindigul in



*Crl.M.P.(MD)No.7961 of 2026*

C.C.No.689 of 2021 dated 30.03.2023 which was confirmed by the Principal District and Sessions Court, Dindigul in Crl.A.No.40 of 2023 by the judgment dated 04.02.2026.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 30.03.2023 for the offence under Section 138 r/w 142 of the Negotiable Instrument Act, 1881, and the trial Court sentenced her to undergo simple imprisonment for a period of one year and to pay a cheque amount of Rs.3,00,000/- (Rupees Three Lakhs only) and Rs.3,30,000- (Rupees Three Lakhs and Thirty Thousand only) as compensation to the respondent, in default, to undergo simple imprisonment for a period of two months, in C.C.No.689 of 2021 on the file of the learned Judicial Magistrate Court No.I, Dindigul.

3. The learned Principal District and Sessions Court, Dindigul, confirmed the conviction and sentence, and dismissed the Crl.A.No.40 of 2023, dated 04.02.2026. 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.7961 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 an amount of Rs.1,26,000/- (Rupees One Lakh and Twenty Six Thousand only) before the Judicial Magistrate Court No.I, Dindigul in C.C.No.689 of 2021.

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



*Crl.M.P.(MD)No.7961 of 2026*

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.I, Dindigul;

(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.I, Dindigul, 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.658 of 2026.

9. Notice.

10. List the matter after four (4) weeks.

**20.04.2026**

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*Crl.M.P.(MD)No.7961 of 2026*

To

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- 1.The Principal District and Sessions Court, Dindigul
- 2.The Judicial Magistrate No.I,  
Dindigul.
- 3.Do through the Chief Judicial Magistrate,  
Dindigul District.



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*Crl.M.P.(MD)No.7961 of 2026*

**L.VICTORIA GOWRI, J.,**

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**Crl. MP(MD)No.7961 of 2026**  
**in**  
**CRL RC(MD)No.658 of 2026**

**20.04.2026**

**(2/3)**