



Crl.M.P.(MD)No.9214 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 29.04.2026

CORAM

THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

CRL MP(MD) No.9214 of 2026

in

CRL RC(MD) No.779 of 2026

T.Selvakumar

... Petitioner/Petitioner

Vs.

Thinesh

... Respondent/Respondent

Prayer : This Criminal Miscellaneous Petition is filed under Section 438 of BNSS to enlarge the petitioner on bail by suspending the sentence imposed in Crl.A.No.12 of 2021 on the file of learned Sessions Fast Track Mahila Court, Nagercoil dated 27.03.2026 confirming the judgment of conviction and sentence made in S.T.C.No.609 of 2018 on the file of the learned Judicial Magistrate Fast Track Court, Nagercoil, dated 08.02.2021 pending disposal of the criminal revision case.

For Petitioner : Mr.M.P.Senthil

ORDER

This Criminal Miscellaneous Petition has been filed to enlarge the petitioner on bail by suspending the sentence imposed in Crl.A.No.12 of 2021 on the file of learned Sessions Fast Track Mahila Court, Nagercoil dated



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27.03.2026 confirming the judgment of conviction and sentence made in S.T.C.No.609 of 2018 on the file of the learned Judicial Magistrate Fast Track Court, Nagerocil, dated 08.02.2021 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 08.02.2021 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.5,00,000/- (Rupees Five Lakhs only), in default, to undergo further simple imprisonment for a period of one month, in S.T.C.No.609 of 2018 on the file of the learned Judicial Magistrate Fast Track Court, Nagerocil.

3. The learned Sessions Fast Track Mahila Court, Nagercoil, confirmed the conviction and sentence, and dismissed the C.A.No.12 of 2021, dated 27.03.2026. 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.

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

(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.

29.04.2026

(2/3)

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To

- 1.The Sessions Fast Track Mahila Court, Nagercoil.
- 2.The Judicial Magistrate Fast Track Court, Nagerocil.
- 3.Do through the Chief Judicial Magistrate,
Kanyakumari District.