



Crl.M.P.(MD)No.10711 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 11.06.2026

CORAM

THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

CRL MP(MD) No.10711 of 2026

in

CRL RC(MD) No.922 of 2026

B.Manoj Kumar

... Petitioner/ Petitioner

Vs.

N.Sekar

... Respondent/Respondent

Prayer : This Criminal Miscellaneous Petition is filed under Section 438 of BNSS to suspend the sentence imposed on the petitioner under the judgment dated 16.04.2026 passed in Crl.A.No.21 of 2025 on the file of the learned VI Additional District and Sessions Judge, Madurai upholding the judgment dated 29.01.2025 passed in S.T.C.No.70 of 2018 on the file of the Judicial Magistrate No.I, Fast Track Court at Magisterial Level, Madurai pending the hearing and final disposal of the present petition.

For Petitioner : Mr.S.Loganathan

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner under the judgment dated 16.04.2026 passed in Crl.A.No.21 of 2025 on the file of the learned VI Additional District and

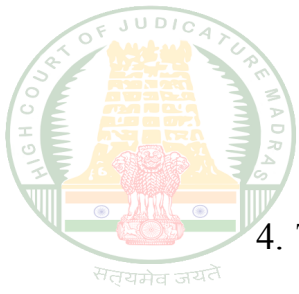


Crl.M.P.(MD)No.10711 of 2026

Sessions Judge, Madurai upholding the judgment dated 29.01.2025 passed 29.01.2025 passed in S.T.C.No.70 of 2018 on the file of the Judicial Magistrate No.I, Fast Track Court at Magisterial Level, Madurai pending the hearing and final disposal of the present petition.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 22.06.2024 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 one year and to pay a cheque amount of Rs.11,00,000/- (Rupees Eleven Lakhs only) as compensation to the respondent, in default, to undergo simple imprisonment for a period of three months, in S.T.C.No.70 of 2018 on the file of the learned Judicial Magistrate No.I, Fast Track Court at Magisterial Level, Madurai.

3. The learned VI Additional District and Sessions Judge, Madurai, confirmed the conviction and sentence, and dismissed the C.A.No.21 of 2025, dated 16.04.2026. 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.10711 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.10711 of 2026

following directions :

WEB COPY

(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 No.I, Fast Track Court at Magisterial Level, Madurai;

(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.

11.06.2026

gbg
To

1.The VI Additional District and Sessions Judge,
Madurai.

2.The Judicial Magistrate No.I,
Fast Track Court at Magisterial Level,
Madurai.

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

4/5



WEB COPY



Crl.M.P.(MD)No.10711 of 2026

L.VICTORIA GOWRI, J.,

gbg

Crl. MP(MD)No.10711 of 2026
in
CRL RC(MD)No.922 of 2026

11.06.2026

(2/2)