



CRL MP(MD). No.12551 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 29/06/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL MP(MD). No.12551 of 2026
in
CRL RC(MD). No.903 of 2026

Periyanayaki

... Petitioner

Vs

R. Santhoshkumar

... Respondent

PRAYER :-

To suspend the order of conviction passed by the Learned Judicial Magistrate, Fast Track Court@ Magisterial Level, Karur dated 31.08.2023 in C.C.No. 356/2019 confirmed by the District and Sessions Judge, Karur vide judgement dated 23.02.2026 passed in Crl.A.No.170 of 2023 pending final disposal of the criminal revision petition.

For Petitioner : Mr. P.Ganapathi Subramanian,
Advocate.



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ORDER

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This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed in C.C.No. 356/2019, dated 31.08.2023 passed by the learned Judicial Magistrate, Fast Track Court@ Magisterial Level, Karur, confirmed in Crl.A.No.170 of 2023 dated 23.02.2026 on the file of the District and Sessions Judge, Karur, pending disposal of this criminal revision petition.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 31.08.2023 for the offence under Section 138 of the Negotiable Instruments Act, 1881, and the trial Court sentenced him to undergo simple imprisonment for one year and to pay the compensation of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) to the defacto complainant, in default, to undergo a further simple imprisonment for a period of one month, in C.C.No. 356/2019 on the file of the learned Judicial Magistrate, Fast Track Court@ Magisterial Level, Karur.



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3. The learned District and Sessions Judge, Karur, confirmed the conviction and sentence, and dismissed Crl.A.No.170 of 2023 dated 23.02.2026. Challenging the same, the present Criminal Revision Case has been filed before this Court along with this Criminal Miscellaneous Petition seeking suspension of sentence.

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 compensation before the learned trial Court.

5. This Court has carefully considered the rival contentions put forward by the learned counsel for the petitioner and also perused the materials available on record.



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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 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



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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 trial Court 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 CrI.R.C.(MD)No.903 of 2026.

29.06.2026

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To

- 1.The Judicial Magistrate, Fast Track Court@ Magisterial Level, Karur.
2. The District and Sessions Judge, Karur.



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L. VICTORIA GOWRI,J

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