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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02-11-2026

CORAM

THE HON'BLE MR.JUSTICE B.MURUGESAN

CRL MP(MD) No. 23200 of 2026

CNR:{HCMD011518642026}

Case QR

IN

CRL RC(MD) NO. 1752 OF 2026

V.Kumar

..Petitioner

Vs

M/s.Sriram Transport Finance Company Limited
Represented by it representative Lakshmanakumar,
11-1-216-1,
First Floor,
Sri Mahalakshmi Complex,
Kariyapatti,
Virudhunagar District.

..Respondent

PRAYER: This Petition filed under Section 430 of BNSS, 2023, to suspend the execution of the sentence imposed by the learned Judicial Magistrate No.1, Sivakasi, in STC No.1030 of 2021, dated 07.03.2023, as confirmed by the learned Additional District and Sessions Judge, Srivilliputhur, in CA.No.35 of 2023, dated 21.07.2026 and consequently enlarge the petitioner on bail pending disposal of the above criminal revision petition.

For Petitioner :M/s.Subhashini.M.N

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ORDER

Claiming an order suspending the execution of the sentence imposed on the petitioner/revision petitioner by the learned Judicial Magistrate No.I, Sivakasi in S.T.C.No.1030 of 2021, dated 07.03.2023, and confirmed by the learned Additional District and Sessions Judge, Srivilliputhur in C.A.No.35 of 2023, dated 21.07.2026, pending this criminal revision in Crl.R.C(MD)No.1752 of 2026, the petitioner/revision petitioner has filed this Criminal Miscellaneous Petition.

2. Heard the learned counsel for the petitioner/revision petitioner.

3. Learned counsel appearing for the petitioner/revision petitioner would submit that the petitioner/sole accused was convicted by the learned Judicial Magistrate No.I, Sivakasi (in short, the trial court) for the offences punishable under Section 138 of the Negotiable Instrument Act in S.T.C.No.1030 of 2021, dated 07.03.2023 and sentenced to undergo one year simple imprisonment and to pay compensation of Rs.5,00,000/- in default, to undergo two months simple imprisonment.

4. Learned counsel for the petitioner would further submit that aggrieved by such conviction, the petitioner/revision petitioner filed

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C.A.No.35 of 2023, before the Additional District and Sessions Judge, Srivilliputhur (in short, the lower appellate court) which, vide its order dated 21.07.2026, dismissed the appeal, confirming the conviction and sentence passed by the trial court and that challenging such conviction and sentence passed by the trial court and confirmed by the lower appellate court, the petitioner/revision petitioner has filed this Criminal Revision Petition in Crl.R.C(MD)No.1752 of 2026 before this Court along with this criminal miscellaneous petition seeking suspension of sentence and bail.

5. Learned Counsel appearing for the petitioner/revision petitioner would further submit that the amount involved in this case is Rs.5,00,000/-, the petitioner has deposited a sum of Rs.1,00,000/- before the trial Court in pursuance of the order passed by the Appellate Court, that the petitioner is ready to deposit a further Rs.1,00,000/- to the credit of S.T.C.No.1030 of 2021 on the file of the trial Court, that the impugned order of the lower appellate court suffers infirmities and illegalities, warranting the interference of this court, that the courts below have failed to apply their judicial mind, that challenging such infirmities and illegalities, the petitioner/revision petitioner, with several substantial grounds, has invoked the revisional jurisdiction of this court under this

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criminal revision and that therefore, an order suspending the execution of the sentence concerned and enlarging the petitioner/revision petitioner on bail needs to be passed in the interest of justice, pending this criminal revision.

6. Considering the facts that the petitioner has deposited a sum of Rs.1,00,000/- before the trial Court and that the petitioner is ready to deposit a further Rs.1,00,000/- to the credit of S.T.C.No.1030 of 2021 on the file of the trial Court, and taking into consideration of the facts and circumstances of the case and considering several substantial grounds raised in this criminal revision, this court is inclined to allow this criminal miscellaneous petition in such terms as under:

(1)that the petitioner/revision petitioner, as agreed, shall deposit a sum of Rs.1,00,000/- to the credit of S.T.C.No.1030 of 2021 on the file of the learned Judicial Magistrate No.1, Sivakasi,

(2)that on such deposit, the execution of sentence passed by the trial Court shall stand suspended and the petitioner/revision petitioner shall be released on bail on his executing a bond for sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, for the like sum each to the satisfaction of the learned Judicial Magistrate No.I, Sivakasi, with the further conditions,

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a)that the photographs and left thumb impressions of the sureties be affixed in the surety bond,

b)that a copy of their aadhar card/voter identity card/bank pass book of the sureties be furnished for their identity,

c)that the cell phone numbers of the sureties and of the petitioner/revision petitioner be furnished,

d)that the petitioner/revision petitioner shall appear before the trial Court on every Monday at 10.30 am., until further orders,

e)that in case of any violation of the above conditions, the Judicial Magistrate No.I, Sivakasi, shall be at liberty to take action as per the judgment of the Supreme Court in ***P.K. Shaji Vs. State of Kerala AIR 2005 SCR 5560***.

7.In fine, this Criminal Miscellaneous Petition is ordered, accordingly.

02-11-2026

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Note: Issue order copy on 03.11.2026.

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To

1.The Judicial Magistrate No.I, Sivakasi.

2.The Additional District and Sessions Judge, Srivilliputhur.

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B.MURUGESAN, J.
BTR

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