



CRL MP(MD) Nos. 1257 and 1258 of 2026
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22-01-2026

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) Nos.1257 and 1258 of 2026

in

CRL RC(MD) No. 92 of 2026

Jeyaratchagan

Petitioner(s)
in both petitions

Vs

Karuppasamy

Respondent(s)
in both petitions

For Petitioner(s):

Mr.N.Balasubramanian
in both petitions

Prayer for Crl.M.P(MD)No.1257 of 2026:

To enlarge me on bail by suspending the sentence imposed through the judgment delivered in C.A. No. 104 of 2022 before the Learned Additional District and Sessions Judge, Srivilliputhur vide judgment dated 28.11.2025 filed as against the convictional judgment passed by the learned Judicial Magistrate No.I, Sivakasi vide STC.No.1408 of 2019 vide judgment dated 16.03.2022 pending the disposal of the main criminal revision petition pending on the file of this Hon'ble Court.

Prayer for Crl.M.P(MD)No.1258 of 2026:

To exempt the petitioner from surrender pursuant to the judgment delivered in C.A. No. 104 of 2022 before the Learned Additional District and Sessions Judge, Srivilliputhur vide judgment dated 28.11.2025 filed as against the convictional judgment passed by the learned Judicial Magistrate No.I, Sivakasi vide STC.No.1408 of 2019 vide judgment dated 16.03.2022 pending the disposal of the main criminal revision petition pending on the file of this Hon'ble Court.



COMMON ORDER

Heard Mr.N.Balasubramanian learned Counsel for petitioner.

2.Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate No.I, Sivakasi in STC.No.1408 of 2019 dated 16.03.2022, which was confirmed by Additional District and Sessions Judge, Srivilliputhur in C.A. No. 104 of 2022, dated 28.11.2025 and to exempt the petitioner from surrendering before the Court below.

3.Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate No.I, Sivakasi for offence under Section 138 of the Negotiable Instruments Act in STC.No.1408 of 2019 dated 16.03.2022 and sentenced him to undergo one year simple imprisonment and to pay compensation of Rs.3,00,000/- to respondent within three months, in default to undergo three months simple imprisonment. Aggrieved, petitioner filed criminal appeal in CrI.A.No.104 of 2022 before Additional District and Sessions Judge, Srivilliputhur and the lower Appellate Court, by the judgment dated 28.11.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed CrI.R.C.(MD)No.92 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.



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4.Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration; and that to show his bonafides, petitioner is willing to deposit 50% of the cheque amount, before the trial Court. Hence, he prayed for granting suspension of sentence to the petitioner.

5.Considering the fact that there are arguable points raised in revision and taking into consideration, facts and circumstances of the case and that it is likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence and exempt the petitioner from surrendering before the trial court, on the following conditions, till the disposal of the above Criminal Revision:

i) Petitioner is directed to deposit 50% of cheque amount to the credit of STC.No.1408 of 2019 dated 16.03.2022 on the file of Judicial Magistrate No.I, Sivakasi, within a period of four weeks from the date of receipt of a copy of this order, failing which the sentence suspended shall stand automatically vacated and respondent is at liberty to execute the sentence imposed by the trial Court against the petitioner in the manner known to law;

(ii) Any amount already paid shall be deducted while reckoning 50% of cheque amount directed in clause (i);

(iii) On such deposit, petitioner is directed to be enlarged on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two

¹ Atul Alias Ashutosh vs State of Madhya Pradesh, (2024) 3 SCC 663



sureties each for a like sum to the satisfaction of Judicial Magistrate No.I, Sivakasi,

iv) Petitioner and sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity;

v) Petitioner shall appear and sign before Judicial Magistrate No.I, Sivakasi, on the first working day of every month at 10.30 a.m., until the disposal of the revision;

vi) In case, if petitioner is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. (corresponding to 355 B.N.S.S) and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

6. Accordingly, these Criminal Miscellaneous Petitions are **ordered**.

22-01-2026

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To

1. The Judicial Magistrate No.I, Sivakasi

2. The Additional District and Sessions Judge, Srivilliputhur

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

