



CRL MP(MD) Nos.766 & 768 of 2026
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19-01-2026

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) Nos.766 & 768 of 2026

IN

CRL RC(MD) No.58 of 2026

Magudapathi

Petitioner(s)
in both petitions

Vs

Periyasamy

Respondent(s)
in both petitions

For Petitioner(s):

Mr.P.Samuel Gunasingh

Prayer for Crl.M.P(MD)No.766/2026:

To enlarge petitioner on bail by suspending the sentence imposed in the vide judgment dated on 19.09.2025 made in C.A No. 105 of 2024 on the file of the District and Sessions Judge, Karur confirming the conviction imposed in the judgement dated 20.07.2023 made in C.C.No.442 of 2017 on the file of the Fast Track Court Judicial Magistrate, Karur pending disposal of the main Criminal Revision Case.

Prayer for Crl.M.P(MD)No.768/2026:

To Exempt the petitioner from surrendering in pursuant to the sentence imposed in the vide Judgement dated on 19.09.2025 made in C.A No.105/2024 on the file of the District and Sessions Judge, Karur confirming the conviction imposed in the judgement dated 20.07.2023 made in C.C.No.442 of 2017 on the file of the Fast Track Court Judicial Magistrate, Karur pending disposal of the main criminal revision case.



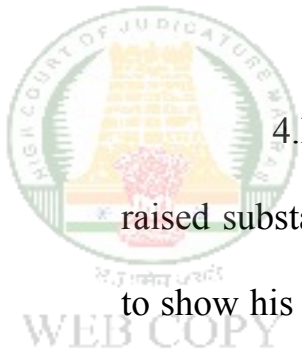
COMMON ORDER

Heard Mr.P.Samuel Gunasingh, learned Counsel for the petitioner.

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2.Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Fast Track Court Judicial Magistrate, Karur in C.C.No.442 of 2017 dated 20.07.2023, which was confirmed by District and Sessions Judge, Karur in Crl.A.No.105 of 2024, dated 19.09.2025 and to exempt the petitioner from surrendering before the Court below.

3.Learned counsel for petitioner would submit that petitioner was convicted by Fast Track Court Judicial Magistrate, Karur for offence under Section 138 of the Negotiable Instruments Act in C.C.No.442 of 2017 dated 20.07.2023 and sentenced him to undergo one year Simple Imprisonment and to pay compensation of Rs.5,00,000/- to respondent within a period of one month, in default, to undergo further period of one month simple imprisonment. Aggrieved, petitioner filed criminal appeal in Crl.A.No.105 of 2024 before District and Sessions Judge, Karur and the lower Appellate Court, by the judgment dated 19.09.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.(MD)No.58 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.



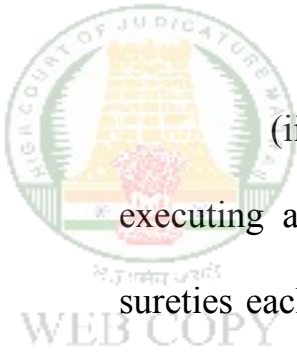
4. Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration; and that to show his bonafides, petitioner is willing to deposit 50% of the cheque amount, before the trial Court. Hence, he prayed for granting suspension of sentence and bail 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, bail 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 C.C.No.442 of 2017 dated 20.07.2023 on the file of Fast Track Court Judicial Magistrate, Karur, 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);

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



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

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 Fast Track Court Judicial Magistrate, Karur, 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**.

19-01-2026

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To

1.The Fast Track Court Judicial Magistrate, Karur.

2.The District and Sessions Judge,
Karur.

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



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MOHAMMED SHAFFIQ, J

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ORDER
IN
Crl.MP(MD).Nos.766 & 768 of 2026
in
Crl.RC.(MD).No.58 of 2026

Date : 19/01/2026
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