



WEB COPY

CRL MP(MD) NO.3675 of 2026
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18-02-2026

CORAM

THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) No. 3675 of 2026

in

CRL RC(MD) NO.289 of 2026

S.Raja

Petitioner(s)

Vs

Shanmugavel

Respondent(s)

For Petitioner(s):

Mr.S.Ramasamy

Prayer:

To enlarge the petitioner on bail by suspending the sentence imposed by the Fast Track Judicial Magistrate Court, Srivilliputhur in STC No.831/2022 by Judgement dated 23.11.2023 which was confirmed by the Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur in C.A.No.166 of 2023 by judgment dated 01.08.2025 pending disposal of the main criminal revision petition.

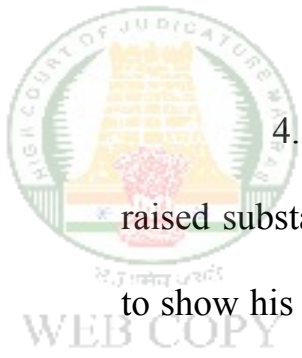


ORDER

Heard Mr.S.Ramasamy, learned counsel for petitioner.

2. Criminal Miscellaneous Petition has been filed praying to suspend the sentence imposed upon petitioner by Fast Track Judicial Magistrate Court, Srivilliputhur in S.T.C.No.831 of 2022 dated 23.11.2023, which was confirmed by Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur in CrI.A.No.166 of 2023, dated 01.08.2025.

3. Learned counsel for petitioner would submit that petitioner was convicted by Fast Track Judicial Magistrate Court, Srivilliputhur for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.831 of 2022 dated 23.11.2023 and sentenced to undergo one year Simple Imprisonment and to pay compensation of Rs.5,000/-, in default to undergo two months Simple Imprisonment. Aggrieved, petitioner filed criminal appeal in CrI.A.No.166 of 2023 before Principal District and Sessions Judge, Virudhunagar, Srivilliputhur and the lower Appellate Court by judgment dated 01.08.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Challenging the above conviction and sentence, petitioner filed CrI.R.C.(MD)No.289 of 2026 before this Court along with the instant miscellaneous petition seeking suspension of sentence and bail.



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 bail, 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 S.T.C.No.831 of 2022 dated 23.11.2023 on the file of Fast Track Judicial Magistrate Court, Srivilliputhur, 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 sureties each for a like sum to the satisfaction of Fast Track Judicial Magistrate Court, Srivilliputhur;

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



iv) Petitioner and sureties shall affix their photographs and Left 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 Judicial Magistrate Court, Srivilliputhur, on the first working day of every month at 10.30 a.m., until the disposal of the revision;

vi) In case, petitioner is not able to appear before the said 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 said Court on any other day in lieu of the date of his absence, as directed by the said Court.

6. Accordingly, this Criminal Miscellaneous Petition is **ordered**.

18-02-2026
(1/2)

rgm



To

1.The Fast Track Judicial Magistrate Court, Srivilliputhur

2.The Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur

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