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CRL MP(MD) Nos.20733 & 20735 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05-02-2026

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) Nos.20733 & 20735 of 2025

IN

CRL RC(MD) No.1680 of 2025

K.Sandhanam

Petitioner(s)
in both petitions

Vs

N.Saravanan

Respondent(s)
in both petitions

For Petitioner(s):

Mr.R.Ponkarthikeyan

For Respondent (s):

Mr.S.Vishnuvardhan

Prayer for Crl.M.P(MD)No.20733/2025:

To suspend the sentence of imprisonment imposed by the learned District and Sessions Judge, Karur in Crl.A.No.224/2023 by judgment dated 11.08.2025 by confirming the conviction and sentence imposed by the learned Judicial Magistrate, Fast Track Court(At Magistrate level), Karur in C.C.No.465 of 2018 by judgement dated 28.06.2023, and enlarged the petitioner on bail pending disposal of the Criminal Revision.

Prayer for Crl.M.P(MD)No.20735/2026:

To exempt the petitioner from surrender in pursuant to the judgment dated 11.08.2025 by the learned District and Sessions Judge, Karur in Crl.A.No.224/2023 by confirming the conviction and sentence of imprisonment imposed by the learned Judicial Magistrate, Fast Track Court (At Magistrate Level), Karur in C.C.No.465 of 2018 by the judgment dated 28.06.2023.



COMMON ORDER

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Heard Mr.R.Ponkarthikeyan, learned Counsel for the petitioner and Mr.S.Vishnuvardhan, learned Counsel for Respondent.

2.Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate, Fast Track Court (At Magistrate Level), Karur in C.C.No.465 of 2018 dated 28.06.2023, which was confirmed by District and Sessions Court, Karur in Crl.A.No.224 of 2023, dated 11.08.2025 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, Fast Track Court (At Magistrate Level), Karur for offence under Section 138 of the Negotiable Instruments Act in C.C.No.465 of 2018 dated 28.06.2023 and sentenced to undergo one year Simple Imprisonment and to pay compensation of Rs.3,00,000/- to respondent, in default, to undergo one month simple imprisonment. Aggrieved, petitioner filed criminal appeal in Crl.A.No.224 of 2023 before District and Sessions Court, Karur and the lower Appellate Court, by the judgment dated 11.08.2025, dismissed the appeal by confirming the conviction and sentence passed by the trial



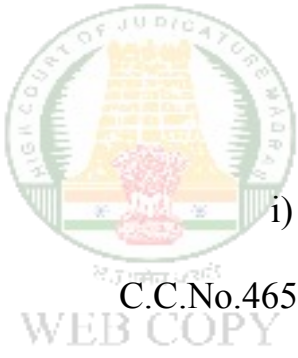
Court. Aggrieved, petitioner filed Crl.R.C.(MD)No.1680 of 2025 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.

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 to the petitioner.

5. Mr.S.Vishnuvardhan, learned Counsel for respondent opposed the submissions of learned counsel for petitioner and submitted that judgments passed by Courts below are as per law after considering the entire evidence, thus the relief sought by petitioner at this stage be refused by this Court.

6. 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:

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



i) Petitioner is directed to deposit 50% of cheque amount to the credit of C.C.No.465 of 2018 dated 28.06.2023 on the file of Judicial Magistrate, Fast Track Court (At Magistrate Level), 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);

(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 Judicial Magistrate, Fast Track Court (At Magistrate Level), 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 Judicial Magistrate, Fast Track Court (At Magistrate Level), Karur, on the first working day of every month at 10.30 a.m., until the disposal of the revision;



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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.

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

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MOHAMMED SHAFFIQ, J.

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To

1.The Fast Track Court (At Magistrate Level), Karur

2.The District and Sessions Judge,
Karur.

Crl.M.P.(MD)Nos.20733 & 20735 of 2025

in

Crl.RC(MD).No.1680 of 2025

05.02.2026

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