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CRL MP(MD) Nos.784 & 785 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.784 and 785 of 2026

IN

CRL RC(MD) No.22 of 2026

S.Pushpa

Petitioner(s)
in both petitions

Vs

1. Sri Gokulam Chit Funds Pvt. Ltd
Rep by Babu
S/o.Sambasivam Pillai
No.14-A, Drowpathi Amman Kovil Street
East Chinthamani,
Trichy, Trichy District.

Respondent(s)
in both petitions

For Petitioner(s):

Mr.R.Sundar

Prayer for Crl.M.P(MD)No.784/2026:

To suspend the sentence imposed on petitioner in C.A. No.112/2022 on the file of 2nd Additional District Judge, Trichirappalli, dated on 11.11.2025 in STC No. 90/2019 on the file of District Munsiff cum Judicial Magistrate, Srirangam dated on 03.09.2022 and enlarges petitioner on bail pending disposal of the above said revision.

Prayer for Crl.M.P(MD)No.785/2026:

To grant exemption to petitioner from surrender before the trial court in order to undergo the period of sentence made in C.A.No.112/2022 on the file of 2nd Additional District Judge, Trichirappalli, dated on 11.11.2025 in STC No.90/2019 on the file of District Munsif cum Judicial Magistrate, Srinrangam dated 03.09.2022.

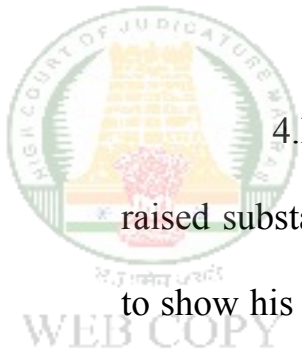


COMMON ORDER

Heard Mr.R.Sundar, learned Counsel for the petitioner.

2.Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by District Munsif cum Judicial Magistrate, Srirangam in S.T.C.No.90 of 2019 dated 03.09.2022, which was confirmed by II Additional District Judge, Tiruchirappalli in CrI.A.No.112 of 2022, dated 11.11.2025 and to exempt the petitioner from surrendering before the Court below.

3.Learned counsel for petitioner would submit that petitioner was convicted by District Munsif cum Judicial Magistrate, Srirangam for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.90 of 2019 dated 03.09.2022 and sentenced him to undergo one year Simple Imprisonment and to pay compensation of Rs.2,23,580/- to respondent, in default, to undergo further period of three months simple imprisonment. Aggrieved, petitioner filed criminal appeal in CrI.A.No.112 of 2022 before II Additional District Judge, Tiruchirappalli and the lower Appellate Court, by the judgment dated 11.11.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed CrI.R.C.(MD)No.22 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.



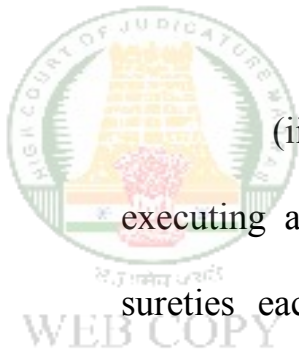
4. Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration; and that to show his bonafides, petitioner is willing to deposit 50% of the cheque amount, before the trial Court. Hence, he prayed for granting suspension 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 S.T.C.No.90 of 2019 dated 03.09.2022 on the file of District Munsif cum Judicial Magistrate, Srirangam, 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 District Munsif cum Judicial Magistrate, Srirangam;

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 District Munsif cum Judicial Magistrate, Srirangam, on the first working day of every month at 10.30 a.m., until the disposal of the revision;

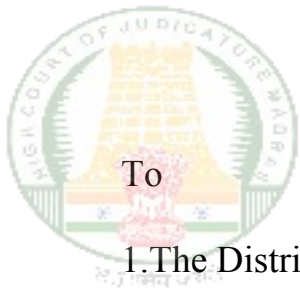
vi) In case, if petitioner is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. (corresponding to 355 B.N.S.S) and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the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

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

19-01-2026

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To

1.The District Munsif cum Judicial Magistrate, Srirangam,

2.The II Additional District Judge,
Tiruchirappalli.

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.784 & 785 of 2026
in
Crl.RC.(MD).No.22 of 2026

Date : 19/01/2026
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