



CRL MP(MD) Nos.1128 & 1130 of 2026
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21-01-2026

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) Nos.1128 & 1130 of 2026

IN

CRL RC(MD) No.88 of 2026

Jayapal

Petitioner(s)
in both petitions

Vs

Lurthu Arockiaraj

Respondent(s)
in both petitions

For Petitioner(s):

Ms.K.Mondela Anand

Prayer for Crl.M.P(MD)No.1128/2026:

To Suspend the sentence of imprisonment and conviction dated 09.12.2025 in Crl A No.58/2022 on the file of the learned Principal District and Sessions Court, Dindigul confirming the judgment and conviction dated 29.08.2022 in CC No.86/2020 passed by the learned District Munsif cum Judicial Magistrate Court, Athoor pending disposal of the Criminal Revision Petition.

Prayer for Crl.M.P(MD)No.1130/2026:

To Exempt the petitioner from surrender of the as per the judgment and conviction dated 09.12.2025 in Crl A No.58/2022 on the file of the learned Principal District and Sessions Court, Dindigul confirming the judgment and conviction dated 29.08.2022 in C.C.No.86 of 2020 passed by the learned District Munsif cum Judicial Magistrate Court, Athoor.



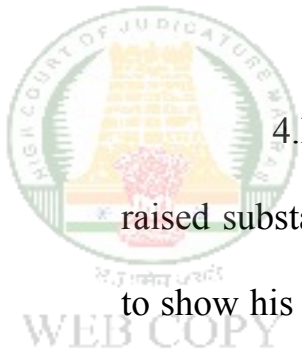
COMMON ORDER

Heard M/s.K.Mondela Anand, 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 District Munsif cum Judicial Magistrate, Athoor in C.C.No.86 of 2020 dated 29.08.2022, which was confirmed by Principal District and Sessions Court, Dindigul in Crl.A.No.58 of 2022, dated 09.12.2025 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, Athoor for offence under Section 138 of the Negotiable Instruments Act in C.C.No.86 of 2020 dated 29.08.2022 and sentenced him to undergo eight months Simple Imprisonment and to pay compensation of Rs.7,00,000/- to respondent, in default, to undergo two months simple imprisonment. Aggrieved, petitioner filed criminal appeal in Crl.A.No.58 of 2022 before Principal District and Sessions Court, Dindigul and the lower Appellate Court, by the judgment dated 09.12.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.(MD).No.88 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 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.86 of 2020 dated 29.08.2022 on the file of District Munsif cum Judicial Magistrate, Athoor, 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 District Munsif cum Judicial Magistrate, Athoor;

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

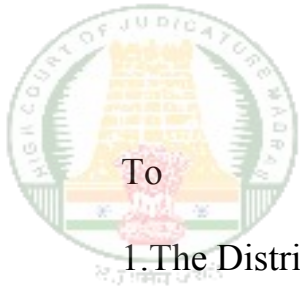
vi) In case, if petitioner is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. (corresponding to 355 B.N.S.S) and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the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

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

21-01-2026

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To

1.The District Munsif cum Judicial Magistrate, Athoor,

2.The Principal District and Sessions Court,
Dindigul.

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
CrI.RC(MD).No.88 of 2026
and
CrI.M.P.(MD).Nos.1128 & 1130 of 2026

Date : 21/01/2026

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