

Srinivas Vs Srinith

Srinivas Vs Srinith

SooperKanoon Citation : sooperkanoon.com/1457930

Court : Chennai

Decided On : May-29-2026

Judge : Honourable Mr.Justice Mohammed Shaffiq

Appeal No. : CRL MP/8489/2026

Appellant : Srinivas

Respondent : Srinith

Advocate for Pet/Ap. : M/s. A.Balamurugan

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-05-2026

CORAM

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ CRL MP NOS.8489 and 8490 of 2026 in CRL RC No.1046 of 2026 Srinivas ...
Petitioner Vs Srinith ... Respondent

Prayer in Crl.M.P.No.8489 of 2026: To suspend the sentence and conviction imposed upon the petitioner in Crl.A.No.60 of 2024 dated

28.04.2026 by the learned Additional District Judge, Hosur, confirming the conviction and sentence passed by the learned Judicial Magistrate, Fast Track Court, Hosur in S.T.C.No.131/2021 dated 15.05.2024, release the petitioner on bail pending disposal of the above revision petition.

Prayer in Crl.M.P.No.8490 of 2026: To exempt the petitioner from surrendering before the trial court in pursuance of the judgment in Crl.Appl.No.60 of 2024 dated 28.04.2026 passed by the learned Additional District Judge, Hosur, confirming the conviction and sentence passed by learned Judicial Magistrate, Fast Track Court, Hosur in S.T.C.No.131/2021 dated 15.05.2024, pending disposal of the above revision petition.

For Petitioner(s) : M/s. A.Balamurugan *****

ORDER

Heard M/s. A.Balamurugan, learned Counsel for petitioner.

2. Criminal Miscellaneous Petitions have been filed praying to

suspend the sentence imposed upon petitioner by the Judicial Magistrate, Fast Track Court, Hosur in S.T.C. No.131 of 2021 dated 15.05.2024, which was confirmed by the Additional District Judge, Hosur in Crl.A.No.60 of 2024, dated 28.04.2026 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, Hosur for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.131 of 2021 dated 15.05.2024 and sentenced him to undergo six months Simple Imprisonment and to pay twice the cheque amount as compensation to the complainant u/s. 357 of Cr.P.C within a period of 2 months, failing with the petitioner has to undergo default sentence of simple imprisonment of one month. Aggrieved, petitioner filed criminal appeal in Crl.A.No.60 of 2024 before Additional District Judge, Hosur and

the lower Appellate Court, by the judgment dated 28.04.2026 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.No.1046 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence 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 and exempting the petitioner from surrendering before the Trial Court .

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 heard, this Court is inclined to grant suspension of sentence 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.131 of 2021 dated 15.05.2024 on the file of Judicial Magistrate, Fast Track Court, Hosur 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 execute 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 the learned Judicial Magistrate, Fast Track Court,

Hosur;

(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 the trial Court, 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. 29.05.2026 ()
dpa/skr Note :

1. Registry is directed to forthwith upload this

order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this

order when uploaded in the official website of this

Court will be watermarked and will also have a QR code. To

1. The Additional District Judge, Hosur.

2. The Judicial Magistrate, Fast Track Court, Hosur

3. The Public Prosecutor, High Court of Madras.

MOHAMMED SHAFFIQ, J.

dpa/skr CRL MP NOS.8489 and 8490 of 2026 in CRL RC No.1046 of 2026
29.05.2026 ()

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com