

Murugesan Vs Ramalingam

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Court : Chennai Orders

Decided On : Jun-25-2026

Judge : Honourable Mrs Justice L.Victoria Gowri

Appeal No. : CRL MP(MD)/12453/2026

Appellant : Murugesan

Respondent : Ramalingam

Judgement :

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT DATED:
25.06.2026

CORAM

THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI CRL MP(MD)
No.12453 of 2026 in CRL RC(MD) No.1045 of 2026 Murugesan ...
Petitioner Vs. Ramalingam ... Respondent

PRAYER: This Criminal Miscellaneous Petition is filed under Section
438(1) of BNSS to suspend the sentence imposed in Crl.A.No.149 of
2025 dated 02.03.2026 on the file of the Principal Sessions Judge, Theni
confirming the conviction and sentence imposed in CC No.299 of 2022,

dated 14.10.2025 passed by the learned Judicial Magistrate, Aundipatti, and enlarge the petitioner on bail pending disposal of this criminal revision petition.

For Petitioner : Mr.R.Maheswaran For Respondent : Mr.K.Chengizkhan

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed in CC No.299 of 2022, dated 14.10.2025 passed by the learned Judicial Magistrate, Aundipatti, confirmed in CrI.A.No.149 of 2025 dated 02.03.2026 on the file of the Principal Sessions Judge, Theni pending disposal of this criminal revision petition.

2. The learned counsel appearing for the petitioner submitted that the

petitioner has been convicted by the trial Court on 14.10.2025 for the offence under Section 138 of the Negotiable Instruments Act, 1881, and the trial Court sentenced him to undergo simple imprisonment for twelve months and to pay the compensation of Rs.12,30,000/- (Rupees Twelve Lakhs Thirty Thousand only) to the defacto complainant, in default, to undergo a further simple imprisonment for a period of three months, in CC No.299 of 2022 on the file of the learned Judicial Magistrate, Aundipatti.

3. The learned Principal Sessions Judge, Theni, confirmed the conviction and sentence, and dismissed CrI.A.No.149 of 2025 dated 02.03.2026. Challenging the same, the present Criminal Revision Case has been filed before this Court along with this Criminal Miscellaneous Petition seeking suspension of sentence.

4. The learned counsel for the petitioner submitted that there are several infirmities in the prosecution case, and also there are contradictions in material particulars between the evidence of the prosecution witnesses.

5. This Court has carefully considered the rival contentions put forward by either side and also perused the materials available on record.

6. The learned counsel for the petitioner pointed out that there are

certain infirmities and inconsistencies in this case, and also there are certain contradictions in material particulars. The fact remains that there are arguable points involved in this criminal revision and further, the criminal revision is not likely to be taken up for final hearing in the near future and as such, and also considering the bonafide expressed by the petitioner, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

7. Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the revision with the following directions :

(i) The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Aundipatti;

(ii) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and

(iii) The petitioner shall appear before the learned trial Court, on all working days at 10.30 a.m., until further orders.

(iv) The learned trial Court shall re-deposit the said

sum in a Nationalised Bank, so that, the amount accrues interest and the same can be disbursed depending upon the outcome of the Criminal Revision Case in CrI.R.C.(MD)No. 1045 of 2026.

8. Mr.Chengizkhan, learned counsel takes notice for the respondent.

9. List the matter after two weeks. 25.06.2026 sm (2/2)

To:- 1.The Principal Sessions Judge, Theni. 2.The Judicial Magistrate, Aundipatti,
3.The Additional Public Prosecutor, Madurai Bench of Madras High Court,
Madurai.

L.VICTORIA GOWRI, J.

sm Crl. MP(MD)No.12453 of 2026 in CRL RC(MD)No.1045 of 2026 (2/2)
25.06.2026

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