



**IN THE COURT OF PRINCIPAL SESSIONS JUDGE DINDIGUL**

**PRESENT: Tmt. A. MUTHUSARATHA, B.L., P.G.D.P.M**  
**Principal Sessions Judge, Dindigul.**

Monday, the 30<sup>th</sup> day of March 2026.

**CrI.M.P. No.618/2026in C.A.--/2025**  
**CNR No.TNDG01-001576-2026**

Kalimuthu,44/2026

S/o.Chellamuthu

: Petitioner/Appellant/Accused

/vs/

1.Sakthivel, 55/2026

S/o.Nachimuthu

2.The State Through, The Public Prosecutor  
Dindigul.

.. Respondent/Complainant

This petition came before this Court for final hearing today in the presence of Thiru. S.Dineshkumar, learned Counsel for the petitioner and of Thiru.R.Udhayanithi learned Public Prosecutor(I/c) for the respondent and heard either side and perusing all the records, this Court delivered the following.....

**ORDER**

The petitioner/accused has challenged the legality of the conviction and sentence imposed in S.T.C.No.136/2022 by the learned Judicial Magistrate, Fast Track Court at Magisterial Level, Palani on 27.1.2026 for the offence under Section 138 of N.I. Act and sentenced to undergo S.I. for 6 months and to pay a sum of Rs.4,50,000/- towards compensation within two months, in default, to undergo further period of S.I. for two months. The petitioner/accused has filed the above petition u/s. 430(1) of BNSS 2023 to suspend the of sentence imposed on him till the disposal of the appeal.

The learned counsel for the petitioner/accused submitted that the accused was convicted and sentenced to undergo S.I. for 6 months and to pay a sum of Rs.4,50,000/- towards compensation within two months, in default, to undergo further period of S.I. for two months, that the petitioner/accused has regularly appeared before the trial court, that the trial court has granted suspension of sentence till 26.2.2026 vide its order in Cr.M.P.No.23/2026, dt. 27.1.2026, that he is having arguable points in the appeal and he prays to suspend the sentence till the disposal of the appeal.

Heard. Records perused. The accused was convicted and sentenced to undergo S.I. for 6 months and to pay a sum of Rs.4,50,000/- towards compensation within two months, in default, to undergo further period of S.I. for two months. The learned counsel for the petitioner argued that the petitioner has not borrowed money and issued cheque, however, he was convicted, however, in order to prove his bonafide, he is ready to deposit 10% of the cheque amount without prejudice to his case, that he is having arguable points in the appeal and he prays to suspend the sentence till the disposal of the appeal. On perusal of records reveals that the trial court has granted suspension of sentence till 26.2.2026 and that the petitioner has not deposited the compensation amount till now. On considering the fact that the compensation amount is not paid by the accused till now, this Court is of the view that evidence has to be appreciated for adjudication in the appeal and on considering the facts and circumstances of the case, this Court is inclined to allow this petition subject to the following condition:

1. The petitioner/accused is directed to deposit 10% of the cheque amount before the learned Judicial Magistrate, Fast Track Court at Magisterial Level, Palani on or before 20.4.2026 and on deposit of such amount and on production of acknowledgment for payment this petition will be decided on merits. Call on 21.4.2026.

Pronounced by me in open Court this the 30<sup>th</sup> day of March 2026.

**Principal Sessions Judge,  
Dindigul.**

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**Copy to**

The Judicial Magistrate, Fast Track Court, Palani.  
The Public Prosecutor, Dindigul.  
Thiru.S.Dineshkumar, Counsel for the petitioner.

} They are requested to download this order from the above said official web site link.