



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. No.3675 of 2024

R.Meenakshi Sundaram

...Petitioners

Vs

S.Vidhya

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order passed by the learned Principal Sessions Judge, dated 24/01/2024 in Crl.M.P.No.2684 of 2024 in C.A.No.60 of 2024 (now under transfer to XX Additional Judge, Chennai) and allow the above Criminal Original Petition.

For Petitioner : Mr.V.Sairam

ORDER

This criminal original petition has been filed challenging the order passed by the Court below in Crl.M.P.No.2684 of 2024 in C.A.No.60 of 2024, dated 24.01.2024, dismissing the application filed for suspension of sentence.



2. Heard the learned counsel for the petitioner and carefully perused the materials available on record.

3. The petitioner was convicted for offence under Section 138 of the Negotiable Instruments Act in C.C.No.157 of 2019 by judgment dated 21.12.2023 and was sentenced to undergo three months simple imprisonment and to pay a fine of Rs.3 Lakhs to be paid as compensation and in default to undergo three months simple imprisonment.

4. The petitioner aggrieved by the judgment of the Trial Court filed an appeal before the Court below in C.A.No 60 of 2024. The petitioner also filed an application for suspension of sentence in Crl.M.P.No2684 of 2024 seeking to suspending the sentence pending the criminal appeal. The Appellate Court by an order dated 24.01.2024, dismissed the application for default. Aggrieved by the same, the present criminal original petition has been filed before this Court.

5. Taking into consideration the facts and circumstances of the case, this criminal original petition is disposed of with the following directions:

(a) The petitioner is directed to surrender before the XXth Additional Judge,



Chennai on or before 23.02.2024 and file a bail application.

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(b)The XXth Additional Judge, Chennai shall grant interim bail to the petitioner subject to the condition that the petitioner deposits 20% of the compensation amount within a period of 60 days thereafter.

(c)If the petitioner deposits the compensation amount within the time frame fixed by the Court below, the bail order shall be made absolute by imposing necessary conditions, and

(d)If the petitioner fails to deposit the compensation amount within the time frame fixed, the Court below shall cancel the interim bail and secure the petitioner to undergo the sentence.

19.02.2024

Index : Yes/No

Speaking order: Yes/No

ssr

Note:Issue Order Copy on 20.02.2024

N.ANAND VENKATESH, J



SSR

To

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- 1.The Principal Sessions Judge, Chennai.
- 2.The Public Prosecutor,
High Court, Madras.

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