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Crl.R.C.No.1197 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**Crl.R.C.No.1197 of 2024
and Crl.M.P.No.10194 of 2024**

J.Daisy Rani

... Petitioner

Vs.

P.Senthil Murugan

... Respondent

PRAYER : Criminal Revision Case filed under Section 438 and 442 of Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order passed by the Principal District and Sessions Court, Chennai, in Crl.M.P.No.18523 of 2024 dated 06.07.2024 and suspend the sentence imposed upon the petitioner in S.T.C.No.2379 of 2022 on the file of the learned XXVI Metropolitan Magistrate, Egmore, dated 06.06.2024.

For Petitioner : Mr.G.Arun

ORDER

The Criminal Revision Case has been filed to set aside the order passed by the Principal District and Sessions Court, Chennai, in



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Crl.M.P.No.18523 of 2024 dated 06.07.2024 and suspend the sentence imposed upon the petitioner, vide judgment dated 06.06.2024, made in S.T.C.No.2379 of 2022, by the learned XXVI Metropolitan Magistrate, Egmore.

2. The learned counsel appearing for the petitioner submits that the respondent has instituted a complaint against the petitioner under Section 138 of Negotiable Instrument Act before the learned XXVI Metropolitan Magistrate, Egmore, in S.T.C.No.2379 of 2022 and on 06.06.2024, the petitioner was convicted and sentenced to undergo three months simple imprisonment and was directed to pay the cheque amount of Rs.20,00,000/- as compensation to the complainant, in default, to undergo simple imprisonment for a period of 15 days, against which, the petitioner has preferred the criminal appeal along with a petition for suspending the sentence and the same were taken on file in C.A.No.488 of 2024 and Crl.M.P.No.18523 of 2024, however, the petition for suspending the sentence was dismissed on 06.07.2024 on the ground that since the



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(a) the petitioner shall deposit 40% of the cheque amount to the credit of S.T.C.No.2379 of 2022 on the file of the learned XXVI Metropolitan Magistrate, Egmore, Chennai.

(b) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned XXVI Metropolitan Magistrate, Egmore, Chennai, along with two sureties for a like sum;

(c) the petitioner shall report before the Appellate Court on the first working day of every month at 10.30 a.m., until further orders.

(d) The learned Principal District and Sessions Judge, Chennai, is directed to dispose of C.A.No.488 of 2024 as per the seniority list.

4. Accordingly, the Criminal Revision Case is allowed. Connected miscellaneous petition is closed.

19.07.2024

NCC : Yes / No

Index : Yes / No

Speaking Order : Yes / No

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Note: Issue order copy on 22.07.2024.



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To

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1. The Principal District and Sessions Court, Chennai.
2. The learned XXVI Metropolitan Magistrate, Egmore.



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M.DHANDAPANI, J.

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