



WEB COPY



Crl.O.P.No.18322 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.18322 of 2024

Gomathi

... Petitioner

Vs.

S.Ramasamy

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to set aside and modify one of the conditions to deposit 20% of the cheque amount passed in Crl.M.P.No.1 of 2024 in Crl.A.No.150 of 2024, dated 26.04.2024 on the file of the Principal District and Sessions Judge, Erode.

For Petitioner : Mr.C.S.Saravanan

ORDER

The petitioner herein found guilty and convicted for offence under Section 138 of Negotiable Instruments Act and sentenced her to undergo 3 months Simple Imprisonment and pay a sum of Rs.3,00,000/- as compensation.

2. Aggrieved by the said conviction and sentence, the petitioner preferred C.A.No.150 of 2024. Along with the appeal, she has sought for



CrI.O.P.No.18322 of 2024

suspension of sentence. The lower appellate Court considered the application for suspension of sentence and allowed the same on condition to deposit 20% of the cheque amount within a period of 60 days with two sureties for like sum of Rs.10,000/- each.

3. The learned counsel appearing for the petitioner seeks for modification of the above condition stating that the petitioner is a suspended Government servant and she is not able to mobilise the said amount.

4. This Court finds no reason to interfere in the order of the lower appellate Court directing the petitioner herein to deposit 20% of the cheque amount, since the reason stated is not sustainable. However, to enable the petitioner to avail the benefit of the suspension of sentence, the petitioner is directed to deposit 20% of the cheque amount i.e.,Rs.60,000/- on or before 14.08.2024. All other conditions shall stand. Accordingly, this Criminal Original Petition is disposed of.

01.08.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl



CrI.O.P.No.18322 of 2024

To
WEB COPY

The Principal District and Sessions Judge, Erode.



WEB COPY



CrI.O.P.No.18322 of 2024

Dr.G.JAYACHANDRAN,J.

rpl

CrI.O.P.No.18322 of 2024

01.08.2024