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CrI.O.P.No.28377 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.28377 of 2024

R.Anitha

... Petitioner

Vs.

R.Velmurugan

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 BNSS Act, 2023, to call for the records in CrI.M.P.No.24995 of 2024 in CrI.A.No.657 of 2024 in S.T.C.No.2763 of 2022 on the file of the Principal Sessions Court, Chennai and modify the one of the condition in para 6 to deposit 20% of the amount.

For Petitioner : Mr. D.Vijay

ORDER

The petitioner herein found guilty and convicted for the offence under Section 138 of Negotiable Instruments Act. Having preferred appeal before the learned Principal Sessions Judge, Chennai, in CrI.A.No.657 of 2024, she has sought for suspension of sentence. The



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lower appellate Court on 05.09.2024 in Crl.M.P.No.24995 of 2024 in Crl.A.No.657 of 2024 directed the petitioner herein to deposit 20% of the cheque amount as a condition to avail suspension of sentence, 60 days time was granted to deposit the 20% of the compensation amount. The said order is under challenge in this Criminal Original Petition.

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

3. On perusing the impugned order, this Court finds no reason to interfere with the order of the lower appellate Court directing the petitioner herein to deposit 20% of the compensation amount, as the Statute prescribes 20% of compensation amount as pre-condition for granting suspension of sentence. Hence this Criminal Original Petition to modify the impugned order of the lower appellate Court stands dismissed.

13.11.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No



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To

The Principal Sessions Judge,
Sessions Court, Chennai.



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P.VELMURUGAN, J

ms

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