



WEB COPY



Crl.M.P No.5211 of 2025 in Crl.R.C.No.453 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.5211 of 2025
in
Crl.R.C.No.453 of 2025

Ranjani

Vs

.... Petitioner

Alexander K. Samuel

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 438 of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence imposed by the 1st Additional Sessions Judge, City Civil Court, Chennai in C.A.No.449/2024, dated 27.12.2024 in confirmation of the conviction order of the Metropolitan Magistrate, FTC-II, Allikulam, Chennai in C.C.No.5109/2020, dated 28.05.2024 and enlarge the petitioner on bail until disposal of the Criminal Revision Case.

For Petitioner : Mr.T.R.Shanmugam

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned I Additional Sessions Judge, City Civil Court, Chennai, in C.A.No.449 of 2024, dated



Crl.M.P No.5211 of 2025 in Crl.R.C.No.453 of 2025

27.12.2024, confirming the Judgment dated 28.05.2024 passed in C.C.No.5109

of 2020 by the learned Metropolitan Magistrate, FTC-II, Allikulam, Chennai, and enlarge the petitioner on bail pending disposal of the above Criminal Revision.

2. The petitioner herein is the accused in C.C.No.5109 of 2020 on the file of the learned Metropolitan Magistrate, FTC-II, Allikulam, Chennai. She was found guilty of the offence under Section 138 of the Negotiable Instruments Act and she has been convicted and sentenced to undergo simple imprisonment for a period of two months and awarded to pay the cheque amount of Rs.19,000/-, in default of payment of compensation, the petitioner shall undergo a simple imprisonment for a period of one month as default sentence. Aggrieved by the same, the petitioner had filed an appeal in Crl.A No.449 of 2024 and the learned I Additional Sessions Judge, City Civil Court, Chennai, by order dated 27.12.2024, dismissed the above appeal, confirming the judgment and sentence imposed by the trial Court. Aggrieved by the same, the petitioner filed the revision along with the present petition.

3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Revision Case and the



Crl.M.P No.5211 of 2025 in Crl.R.C.No.453 of 2025

petitioner/accused has got a fair chance of succeeding in the Criminal Revision

Case and hence, the substantive sentence imposed against the petitioner/accused

may be suspended. He would submit that the petitioner is ready to abide any condition to be imposed by this Court.

4. Heard the learned counsel appearing for the petitioner and also perused the materials placed on record.

5. Considering the submissions of the learned counsel for the petitioner, coupled with the quantum of punishment imposed upon the petitioner and taking into consideration the fact that this criminal revision is not likely to be taken for final hearing in the near future, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions. Accordingly, till the disposal of the Criminal Revision Case, the reliefs of suspension of sentence and bail are granted on the following conditions:

(i) the petitioner shall deposit the entire cheque amount, i.e. Rs.19,000/- (Rupees nineteen thousand only), after deducting the amount which was already deposited by the petitioner, if any, to the credit of C.C.No.5109 of 2020 on the file of the learned Metropolitan Magistrate, FTC-II, Allikulam, Chennai,



Crl.M.P No.5211 of 2025 in Crl.R.C.No.453 of 2025

within a period of four weeks from today. Failing which, the order passed by this Court shall stand automatically cancelled.

WEB COPY

(ii) On such deposit being made, the trial Court shall redeposit the said amount in a Fixed Deposit Account, in any one of the Nationalized Banks, renewable thereafter periodically. The disbursal of this amount shall be decided at the culmination of the Criminal Revision Case;

(iii) On the failure of the petitioner/accused depositing the above said amount, it is open to the trial Court to commit the petitioner/accused into custody for undergoing the sentence.

(iv) On the petitioner depositing the amount as stated clause (i) supra, the sentence of imprisonment alone, imposed on the petitioner/accused, shall be suspended, on her execution of a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the trial court;

(v) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;

(vi) The petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the revision petition and if she is not



Crl.M.P No.5211 of 2025 in Crl.R.C.No.453 of 2025

WEB COPY

able to appear before the trial Court on any day, she shall make arrangements to file an application under Section 355 of BNSS, 2023 and shall appear before the trial Court on any other day in lieu of the date of her absence, as directed by the trial Court;

6. With the above directions, this Criminal Miscellaneous Petition is ordered.

29.07.2025
(2/2)

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

rts



WEB COPY



Crl.M.P No.5211 of 2025 in Crl.R.C.No.453 of 2025

G.K.ILANTHIRAIYAN, J.

rts

To

1. The I Additional Sessions Judge,
City Civil Court, Chennai.

2. The Metropolitan Magistrate,
FTC-II, Allikulam, Chennai.

Crl.M.P.No.5211 of 2025
in Crl.R.C.No.453 of 2025

29.07.2025
(2/2)