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Crl.M.P No.14571 of 2025 in
Crl.R.C.No.1231 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2025

CORAM:

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

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in
Crl.R.C.No. 1231 of 2025

1. M/s. G.S.Medicals
Rep. by its Proprietor,
Mrs.R.Radha
No.12/435, Shop NO.2,
Ramiah Nagar, Medavakkam,
Chennai – 600 100.

2. Mrs.R.Radha
No.12/435, Shop NO.2,
Ramiah Nagar, Medavakkam,
Chennai – 600 100.

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Petitioners

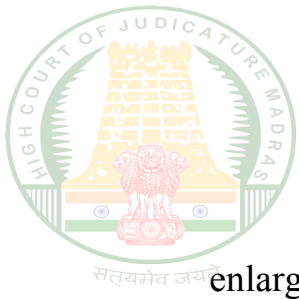
Vs

M/s.Kamlam Medical Corporation Pvt. Ltd.,
Rep. by Mr.R.Elavarasan,
Wing – B, SP-30, Developed plot,
SIDCO Industrial Estate,
Guindy, Chennai – 600 032.

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Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence and



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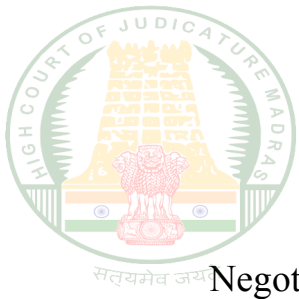
enlarge the petitioner on bail against the order passed by the Additional District Judge, by order dated 19.12.2024 in C.A.No.46 of 2023 confirming the conviction passed by the Judicial Magistrate Fast Track Court, Alandhur in C.C.No.192 of 2019 on 20.03.2023 sentencing the petitioner to undergo 6 months simple imprisonment till the disposal of the criminal revision petition.

For Petitioners : Mr.K.M.Balaji

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioners, to suspend the sentence and enlarge the petitioners on bail against the order dated 19.12.2024 passed by the learned Additional District Sessions Judge, Chengalpattu in C.A.No.46 of 2023 confirming the order of conviction passed by the learned Judicial Magistrate / Fast Track Court (Magisterial Level), Alandur in C.C.No.192 of 2018 on 20.03.2023, till the disposal of the criminal revision petition.

2. The petitioners herein are the accused in C.C.No.192 of 2018 on the file of the Judicial Magistrate / Fast Track Court (Magisterial Level), Alandur. There were found guilty of the offence under Section 138 of the



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Negotiable Instruments Act and the second petitioner is convicted and sentenced to undergo simple imprisonment for a period of six months and to pay a compensation of Rs.5,00,000/- to the complainant, in default of payment of compensation, the petitioner shall undergo a simple imprisonment for a period of two months. Aggrieved by the same, the petitioners have filed an appeal in C.A.No.46 of 2023 and the learned Additional District Sessions Judge, Chengalpattu, vide order dated 19.12.2024, dismissed the above appeal confirming the judgment and sentence imposed by the Trial Court. Aggrieved by the same, the present revision has been filed.

3. The learned counsel for the petitioners/accused would submit that there are arguable points available in the Criminal Revision Case and the petitioners/accused has got a fair chance of succeeding in the Criminal Revision Case and hence, the substantive sentence imposed against the petitioners/accused may be suspended. He would submit that the petitioner is ready to abide the condition imposed by this Court.

4. Heard the learned counsel appearing for the petitioners and



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also perused the materials placed on record.

5. Considering the fact that the petitioners have raised substantial grounds in the above revision, which requires consideration, this Court is inclined to grant suspension of sentence, on the following conditions, till the disposal of the above Criminal Revision:

(i) The second petitioner is ordered to be enlarged on bail, on condition that the second petitioner shall deposit the entire cheque amount, after deducting the amount which was already deposited by the second petitioner, if any, to the credit of C.C.No.192 of 2018 on the file of the Judicial Magistrate / Fast Track Court (Magisterial Level), Alandur, within a period of four weeks from today.

(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) Thereafter, the sentence of imprisonment



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alone, imposed on the second petitioner/accused shall be suspended, on her executing a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the trial court;

(iv) The second 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;

(v) The second 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 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;

(vi) On the failure of the second petitioner/accused, depositing the above said amount, it is open to the trial Court to commit the second



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petitioner/accused into custody for undergoing the
sentence.

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

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

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1. The Judicial Magistrate / Fast Track Court (Magisterial Level), Alandur.
2. The Additional District Sessions Judge, Chengalpattu.



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G.K.ILANTHIRAIYAN, J.

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