



WEB COPY



Crl.M.P No.15325 of 2025 in
Crl.R.C.No.1359 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2025

CORAM:

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

Crl.M.P.No.15325 of 2025
in
Crl.R.C.No.1359 of 2025

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

.... Petitioners

Vs

M/s.Transworld Medial Corporation Pvt.Ltd.,
Rep.by R.Elavarasan,
Wing-B, SP-30, Developed Plot,
SIDCO Industrial Estate,
Guindy, Chennai 600 032

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to suspend the sentence and enlarge the petitioner on bail against the order passed by the learned Additional District Judge by its order dated 19.12.2024 in CA.No.44 of 2023 confirming the conviction passed by the trial court Judicial Magistrate, Fast Track Court at Alandur in CC.No.191 of 2019 on 20.03.2023 sentencing the petitioner to



Crl.M.P No.15325 of 2025 in
Crl.R.C.No.1359 of 2025

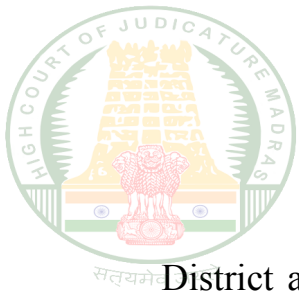
undergo 6 months simple imprisonment till the disposal of the criminal revision petition.

For Petitioners : Mr.K.M.Balaji

ORDER

This Criminal Miscellaneous Petition has been filed praying to suspend the sentence and to enlarge the petitioner on bail against the order passed by the learned Additional District Judge by its order dated 19.12.2024 in CA.No.44 of 2023 confirming the conviction passed by the trial court Judicial Magistrate, Fast Track Court at Alandur in CC.No.191 of 2019 on 20.03.2023 sentencing the petitioner to undergo 6 months simple imprisonment till the disposal of the criminal revision petition.

2. The petitioners herein are the accused in CC.No.191 of 2018 on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Alandur. The petitioners were found guilty of the offence under Section 138 of the Negotiable Instruments Act and they have been convicted and the second petitioner was sentenced to undergo six months simple imprisonment. Further, she was ordered to pay compensation of Rs.7,00,000/- to the complainant, in default to undergo further two months simple imprisonment. Aggrieved by the same, the petitioner had filed an appeal in CA.No.44 of 2023 and the Additional



Crl.M.P No.15325 of 2025 in
Crl.R.C.No.1359 of 2025

WEB COPY

District and Sessions Judge, Kancheepuram District @ Chengalpattu by order dated 19.12.2024, had 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 have got a fair chance of succeeding in the Criminal Revision Case and hence, the substantive sentence imposed against the second petitioner may be suspended. He would submit that the second petitioner is ready to abide any condition to be imposed by this Court.

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

5. Considering the submissions of the learned counsel for the petitioners, coupled with the quantum of punishment imposed upon the second 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



Crl.M.P No.15325 of 2025 in
Crl.R.C.No.1359 of 2025

WEB COPY

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 second petitioner shall deposit the entire cheque amount, after deducting the amount which was already deposited by the petitioners, if any, to the credit of CC.No.191 of 2018 on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Alandur, within a period of four weeks from today, failing which the present order of this Court shall stand automatically cancelled.

(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 second petitioner/A2 in depositing the above said amount, it is open to the trial Court to commit the second petitioner/A2 into custody for undergoing the sentence.

(iv) On the petitioners' depositing the amount as stated in clause (i) supra, the sentence of imprisonment alone, imposed on



Crl.M.P No.15325 of 2025 in
Crl.R.C.No.1359 of 2025

WEB COPY

the second petitioner/A2, 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 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;

(vi) 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;

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



Crl.M.P No.15325 of 2025 in
Crl.R.C.No.1359 of 2025

11.08.2025
(2/3)

WEB COPY

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

lok

To

1.The learned Judicial Magistrate, Fast Track Court (Magisterial Level),



Crl.M.P No.15325 of 2025 in
Crl.R.C.No.1359 of 2025

Alandur

2. The Additional District and Sessions Judge, Kancheepuram District @
Chengalpattu

G.K.ILANTHIRAIYAN, J.

lok



WEB COPY



Crl.M.P No.15325 of 2025 in
Crl.R.C.No.1359 of 2025

Crl.M.P.No.15325 of 2025
in
Crl.R.C.No.1359 of 2025

11.08.2025
(2/3)