



Crl.O.P.No.10677 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.10677 of 2025

Uma Devi

... Petitioner

Vs

J.Shankar Ganesh

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023/ Section 482 of Cr.P.C, to issue direction to number the petition for suspension of sentence bearing Filing No.590 of 2025 in criminal appeal filing no.589 of 2025 pending on the file of the Principal Sessions Court, Ranipet.

For Petitioner : Mr.T.P.Prabakaran

ORDER

This Criminal Original Petition has been filed seeking direction to number the petition for suspension of sentence bearing Filing No.590 of 2025 in Criminal Appeal filing No.589 of 2025 pending on the file of the Principal Sessions Court, Ranipet.



Crl.O.P.No.10677 of 2025

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

3. The petitioner is an accused in the complaint lodged by the respondent for the offence punishable under Section 138 of Negotiable Instruments Act in C.C.No.55 of 2021 on the file of the District Munsif cum Judicial Magistrate-I, Walajapet. After fulfilled Trial, the Trial Court convicted the petitioner under Section 138 of Negotiable Instruments Act and sentenced her to undergo six months simple imprisonment and also to pay compensation to the tune of cheque amount. Aggrieved by the same, the petitioner preferred an appeal with the delay of 5 days in filing the criminal appeal in Crl.M.P.No.448 of 2025 on the file of the Principal Sessions Judge, Ranipet.

4. On receipt of the same, the Appellate Court ordered notice in condone delay petition. However, the appellate Court refused to number the suspension of sentence petition, since the petitioner's sentence had already been suspended by the Trial Court for a period of 30 days.



Crl.O.P.No.10677 of 2025

WEB COPY

5. Considering the above facts and circumstances of the case, there is no impediment for the appellate Court to consider the petition filed for suspension of sentence in the manner known to law.

6. In view of the above, the appellate Court is directed to number the petition for suspension of sentence and pass orders on merits and in accordance with law.

7. With the above directions, this Criminal Original Petition stands disposed of.

09.04.2025

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

mn

Note: Issue order copy on 09.04.2025



WEB COPY



Crl.O.P.No.10677 of 2025

G.K.ILANTHIRAIYAN. J.

mn

To

1. The Principal Sessions Judge, Ranipet.
2. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.10677 of 2025

09.04.2025