



WEB COPY



Crl.M.P No.11067 of 2025 in  
Crl.R.C.No.767 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2025

CORAM:

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

Crl.M.P.No.11067 of 2025  
in  
Crl.R.C.No. 767 of 2025

R.Saitha Begam  
D/o. Anwarbasha  
D.No.4/378, Thanthai Periyar Nagar,  
Avinashilingampalayam  
Avinashi Taluk,  
Tiruppur District.

...

Petitioner

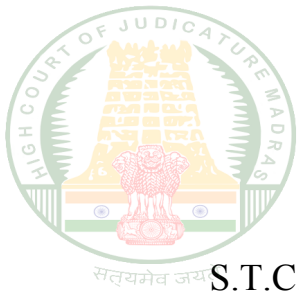
Vs

Vijalakshmi,  
D/o. Late Ramar,  
D.No.4/222(2), Thanthai Periyar Nagar,  
Palangarai (Post)  
Avinashilingampalayam,  
Avinashi Taluk,  
Tiruppur District.

...

Respondent

**PRAYER:** Criminal Miscellaneous Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence of imprisonment imposed against the petitioner in Crl.A.No.190/2023 by an order dated 01.03.2025 on the file of I Additional District and Sessions Judge, Tiruppur district as well as the judgment of conviction passed in



Crl.M.P No.11067 of 2025 in  
Crl.R.C.No.767 of 2025

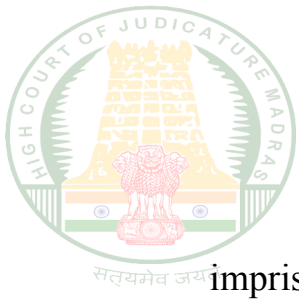
S.T.C.No.5182/2019 by an order dated 06.07.2023 on the file of learned Judicial Magistrate (Fast Track) Court, Tiruppur District pending disposal of the Crl.R.C. and release the accused / petitioner on bail.

For Petitioner : Mr.P.Saravanan

### **ORDER**

This Criminal Miscellaneous Petition has been filed to suspend the sentence of imprisonment imposed against the petitioner in Crl.A.No.190/2023 by an order dated 01.03.2025 on the file of I Additional District and Sessions Judge, Tiruppur district as well as the judgment of conviction passed in S.T.C.No.5182/2019 by an order dated 06.07.2023 on the file of learned Judicial Magistrate (Fast Track) Court, Tiruppur District pending disposal of the Crl.R.C. and release the accused / petitioner on bail.

2. The petitioner herein is the accused in S.T.C.No.5182/2019 by an order dated 06.07.2023 on the file of learned Judicial Magistrate (Fast Track) Court, Tiruppur District. She was found guilty of the offence under Section 138 of the Negotiable Instruments Act and she has been convicted under Section 255(2) Cr.P.C. and sentenced to undergo six months simple



Crl.M.P No.11067 of 2025 in  
Crl.R.C.No.767 of 2025

WEB COPY

imprisonment and to pay the cheque amount of Rs.6,00,000/- as compensation within a period of one month under Section 357(3) Cr.P.C. and in default to undergo further one month simple imprisonment. Aggrieved by the same, the petitioner had filed appeal in C.A No.190 of 2023 and the learned I Additional District and Sessions Judge, Tiruppur, by a judgment dated 01.03.2025 had dismissed the above appeal. Aggrieved by the same, the present revision has been filed.

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

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

5. Considering the fact that the petitioner has raised substantial



Crl.M.P No.11067 of 2025 in  
Crl.R.C.No.767 of 2025

WEB COPY

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 petitioner is ordered to be enlarged on bail, on condition that the petitioner shall deposit the entire cheque amount of Rs.6,00,000/- deducting the amount paid already, if any, to the credit of S.T.C.No.5182/2019 on the file of the Judicial Magistrate (Fast Track) Court, Tiruppur District, within a period of four weeks from today (i.e.16.06.2025)

(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 alone, imposed on the 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 petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond



WEB COPY



Crl.M.P No.11067 of 2025 in  
Crl.R.C.No.767 of 2025

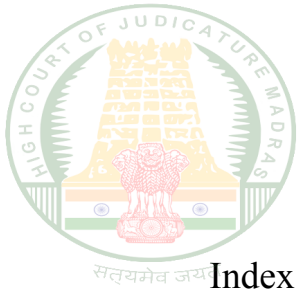
and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;

(v) The 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, he 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 his absence, as directed by the trial Court;

(vi) On 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.

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

16.06.2025



Crl.M.P No.11067 of 2025 in  
Crl.R.C.No.767 of 2025

WEB COPY

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



Crl.M.P No.11067 of 2025 in  
Crl.R.C.No.767 of 2025

WEB COPY  
To

1. The I Additional District and Sessions Judge, Tiruppur
2. The Judicial Magistrate (Fast Track) Court, Tiruppur District



WEB COPY



Crl.M.P No.11067 of 2025 in  
Crl.R.C.No.767 of 2025

**G.K.ILANTHIRAIYAN, J.**

bkn

Crl.M.P.No.11067 of 2025  
in  
Crl.R.C.No. 767 of 2025

16.06.2025