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Crl.M.P.No.12462 of 2025 in
Crl.R.C.No.927 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2025

CORAM:

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

Crl.M.P.No.12462 of 2025
in
Crl.R.C.No.927 of 2025

Rajini

.... Petitioner

Vs

M/s Sree Guruvayurappan Chit Fund Pvt., Ltd.,
rep. by its Power of Attorney Mr.A.Sundaramoorthy
Reg. Office: No.156, T.H.Road,
Chennai -19
corporate Office: 188 (138/1)
Prakasam Salai, Broadway, George Town
Chennai - 600 001

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Sections 438(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence and conviction imposed upon the petitioner by the learned III Metropolitan Magistrate, George Town, Chennai in judgment passed on 08.08.2024 made in C.C.No.1029/2019 and confirmed by the learned XVIII Additional District Judge, Chennai dated 17.04.2025 in Crl.A.No.607 of 2024 and to enlarge the petitioner on bail.

For Petitioner : Mr.P.Saravanan



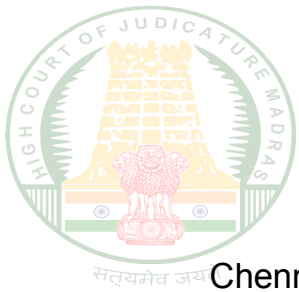
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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned III Metropolitan Magistrate, George Town, Chennai in C.C.No.1029 of 2019, dated 08.08.2024 and confirmed by the learned XVIII Additional District Judge, Chennai in Judgment dated 17.04.2025 passed in Crl.A.No.607 of 2024 and enlarge the petitioner on bail pending disposal of the above Criminal Revision.

2. The petitioner herein is the accused in C.C.No.1029 of 2019 on the file of the learned XVIII Additional District Judge, Chennai and 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 one year and to pay a sum of Rs.6,25,990/- being cheques amount to the complainant within two months from the date of order, in default of payment of compensation, the petitioner shall undergo a simple imprisonment for a period of three months. Aggrieved by the same, the petitioner had filed appeal in Crl.A No.607 of 2024 and the learned XVIII Additional Judge, City Civil Court,



Crl.M.P No.12462 of 2025 in
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Chennai by order dated 17.04.2025, 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 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 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



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Crl.M.P No.12462 of 2025 in
Crl.R.C.No.927 of 2025

entire amount, i.e. Rs.6,25,990/- [Rupees Six Lakhs twenty five thousand nine hundred and ninety only] after deducting the amount which was already deposited by the petitioner, if any, to the credit of C.C.No.1029 of 2019 on the file of the learned III Metropolitan Magistrate, George Town, Chennai, 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 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 and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;



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Crl.M.P No.12462 of 2025 in
Crl.R.C.No.927 of 2025

(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, 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 his absence, as directed by the trial Court;

(vi) 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.

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

30.06.2025
(2/2)

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

To



Crl.M.P No.12462 of 2025 in
Crl.R.C.No.927 of 2025

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1. M/s Sree Guruvayurappan Chit Fund Pvt., Ltd.,,
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Reg. Office: No.156, T.H.Road,
Chennai -19 corporate Office: 188 (138/1)
Prakasam Salai, Broadway, George Town
Chennai - 600 001
2. The XVIII Additional Judge, City Civil Court,
Chennai
3. The III Metropolitan Magistrate,
George Town, Chennai
4. The Public Prosecutor,
Madras High Court.

G.K.ILANTHIRAIYAN, J.



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Crl.M.P No.12462 of 2025 in
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