



Crl.O.P.No.25215 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2025

CORAM:

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

Crl.O.P.No.25215 of 2024

P.Padmavathi

... Petitioner

Vs.

D.Rajesh

... Respondent

Prayer: Criminal Original petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order dated 29.08.2024 made in Crl.M.P.No.1886 of 2024 in Crl.M.P.No.1824 of 2024 in Crl.A.No.24 of 2024 on the file of the Principal Session Judge, Dharmapuri and to allow the above Criminal Original Petition.

For Petitioner : Mr.C.Prabakaran

For Respondent : No appearance

ORDER

This petition has been filed to set aside the order dated 29.08.2024 made in Crl.M.P.No.1886 of 2024 in Crl.M.P.No.1824 of 2024 in Crl.A.No.24 of 2024 on the file of the Principal Session Judge, Dharmapuri.



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2. The respondent lodged complaint as against the petitioner for the offence punishable under Section 138 of the Negotiable Instruments Act and the same was taken cognizance in S.T.C.No.30 of 2019 on the file of the learned Judicial Magistrate, Fast Track Court, Dharmapuri. After conducting full-fledged trial, the trial Court concluded that the petitioner found guilty and imposed sentence to undergo twelve months simple imprisonment with compensation of Rs.1,50,000/- which being the cheque amount in default to undergo six months simple imprisonment by the judgment dated 19.01.2024.

3. Aggrieved by the same the petitioner preferred an appeal in Crl.A.No.24 of 2024 and moved petition to suspend the sentence. The appellate Court, while allowing the suspension of sentence petition, imposed condition that the petitioner shall appear and sign before the appellate Court daily at 10.00 a.m., for a period of 30 days and thereafter to appear before the appellate Court on every hearing dates. To modify the said condition, the petitioner filed application in Crl.M.P.No.1886 of 2024 and the same was dismissed by the appellate Court by an order dated 29.08.2024. Challenging the same, the petitioner filed the present petition.



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5. This Court finds no reason to interfere with the order passed by the appellate Court. However, the petitioner is at liberty to comply the condition imposed on her while granting bail, from tomorrow onwards. Accordingly, the Criminal Original Petition stands dismissed.

06.02.2025

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

rts

To

The Principal Session Judge,
Dharmapuri .



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G.K.ILANTHIRAIYAN, J.

rts

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