



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 19178 of 2025

IN

CRL RC NO. 2035 OF 2025

Lakshimee Ravi

W/o. Ravichandran, Door No.6,
Muthurangam Street, 2nd Floor, T.
Nagar, Chennai-600017.

Petitioner(s)

Vs

Rahul Kumar

Represents by paceman finance Indian
Pvt Ltd, No.963, Poonamalle High
Road, Crescent Court, Suit No.21,
Puraswakkam, Chennai-600084.

Respondent(s)

PRAYER

To suspend the sentence passed against the petitioner by the XV-Additional Sessions Judge at Chennai in Crl.A.No.312/2023 on 14.08.2025 conforming the Judgment of conviction and sentence passed by the Learned Fast Track IV-Metropolitan Magistrate at Geroge Town, Chennai in CC No.1594/2019 dated 24.05.2023 pending disposal of the above Criminal Revision Petition.

For Petitioner: Mr.S.Mohan Raj

**ORDER**

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This Criminal Miscellaneous Petition has been filed by the petitioner seeking suspension of sentence imposed by the learned XV Addl. Sessions Judge, Chennai, in CrI.A.No. 312 of 2023 dated 14.08.2025 confirmng the order passed in C.C.No. 1594 of 2019 dated 24.05.2023 on the file of learned Metropolitan Magistrate, Fast Track Court at Magisterial Level-IV, George Town, Chennai in C.C.No.1594 of 2019 dated 24.05.2023, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner herein is the accused in C.C.No.1594 of 2019 on the file of the learned Metropolitan Magistrate, Fast Track Court at Magisterial Level-IV, George Town, Chennai. 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 three months and awarded to pay the compensation of Rs.31,32,498/-. Aggrieved by the same, the petitioner had filed an appeal in CrI.A No.312 of 2023 before the learned XV Addl. Sessions Court, Chennai by an order dated 14.08.2025, 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.

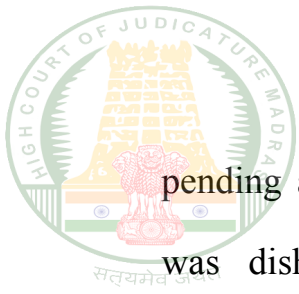
3. The learned counsel for the petitioner/accused would submit that the husband of the petitioner borrowed a sum of Rs.25 lakhs by mortgaging the



property, at the time of registration, two blank cheques were issued as security, in which one cheque belongs to this petitioner and another cheque owned by the company viz., Ravicon Builders. Based on that cheque, they have filed a complaint in C.C.No. 4732 of 2018 against her husband and the same is pending and now with the false claim, another cheque was presented, which was dishonoured, but the court below failed to appreciate the same. He would also submit that for the same claim, the husband of respondent already filed a suit in O.S.No.7656 of 2021 and the same is also pending. He 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 any condition to be imposed by this Court.

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

5. Considering the submissions of the learned counsel for the petitioner stating that at the time of registration, two blank cheques were issued as security, in which one cheque belongs to this petitioner and another cheque owned by the company viz., Ravicon Builders, based on that cheque, they have filed a complaint in C.C.No. 4732 of 2018 against her husband and the same is



pending and now with the false claim, another cheque was presented, which was dishonoured, but the court below failed to appreciate the same.

Furthermore, for the same claim, the husband of respondent already filed a suit in O.S.No.7656 of 2021 and the same is also pending and also coupled with the quantum of punishment imposed upon the petitioner. **As already 20% of the amount was deposited before the trial court, the respondent is permitted to withdraw the same on filing undertaking affidavit.** Taking into consideration the fact that the petitioner is aged about 75 years and also 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 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 sentence of imprisonment alone imposed on the petitioner/accused shall be suspended on his 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;

(ii) 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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(iii) 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 he 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;

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

15-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. XV Addl. Sessions Judge, Chennai.

2. Metropolitan Magistrate, Fast Track Court at Magisterial Level-IV, George Town, Chennai



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T.V.THAMILSELVI J.

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