



Crl.OP.No.27654 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.27654 of 2025

and

Crl.M.P.No.18758 of 2025

Bindhu

... Petitioner

Vs.

D.Aalis Mary @ S.Mary

... Respondent

Prayer: Petition filed under Section 528 of BNSS, to set aside the docket dismissal order passed by the learned Principal District and Session Judge, Chengalpattu in Crl.M.P.No.1507 of 2024 on 26.06.2025 and consequently direct to allow the Crl.M.P.No.1507 of 2024 in C.A.No.104 of 2023.

For Petitioner : Mr.S.Govindarajulu

ORDER

The present Criminal Original Petition has been filed to set aside the 'docket dismissal order' passed by the learned Principal District and Session Judge, Chengalpattu in Crl.M.P.No.1507 of 2024 dated 26.06.2025 and further seeking a direction to allow the Crl.M.P.No.1507 of 2024 in C.A.No.104 of 2023.

2. Heard the learned counsel for the petitioner.



WEB COPY

3. The petitioner was convicted by the trial Court under Section 138 of NI Act for a period of 3 months Simple Imprisonment along with a compensation amount of Rs.2,75,000/- within one month and in default of payment, to undergo 2 months Simple Imprisonment. Aggrieved by the same, the petitioner filed an appeal wherein the appellate Court has suspended the sentence till the disposal of the appeal by directing the petitioner to deposit 20% of the cheque amount which is to the tune of Rs.50,000/- to the credit of the learned Judicial Magistrate (Magisterial Level), FTC, Alandur in C.C.No.10 of 2018 on or before 21.01.2025 and as against the aforesaid conditional order, the petitioner preferred a modification petition before this Court and the same was dismissed with a direction to comply with the conditional order of the Appellate Court dated 12.12.2024 on or before 24.02.2025. Assailing the same, the present petition has been filed.

4. The learned counsel for the petitioner submitted that the petitioner is an illiterate woman, who was abandoned by her husband and due to poverty, she could not able to mobilise the funds and now, she is ready to comply with the conditional order as per the direction of this Court dated



Crl.OP.No.27654 of 2025

05.02.2025 and seeks time for such deposit.

WEB COPY

5. Considering the facts and circumstances of the case and also taking note of the submissions of the learned counsel for the petitioner, this Court extends a week's time to the petitioner to comply with the aforesaid conditional order from the date of receipt of a copy of this order and when such deposit being made by the petitioner, there shall be a direction to the Appellate Court to allow the Crl.M.P.No.1507 of 2024 in C.A.No.104 of 2023.

6. With the above directions, the Criminal Original Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed.

14.10.2025

DP



WEB COPY



Crl.OP.No.27654 of 2025

To

- 1.The Principal District and Session Judge,
Chengalpattu.
- 2.The Public Prosecutor,
Madras High Court.



WEB COPY



Crl.OP.No.27654 of 2025

N.SATHISH KUMAR.J,

DP

Crl.O.P.No.27654 of 2025
and
Crl.M.P.No.18758 of 2025

14.10.2025