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CRL MP No. 18121 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 18121 of 2025

IN

CRL RC NO. 1840 OF 2025

V.Kavitha

W/o. Valavan No.14, Kirambu Thottam,
Karaikal Town and Karaikal District.

Petitioner(s)

Vs

SEETHALAKSHMI

W/o. N. Sundaraj, No.61, 1st Cross
Thomas Arul Thidal, Mathagadi,
Karaikal.

Respondent(s)

PRAYER

To suspend the sentence imposed by the Honorable Sessions Judge, Karaikal in judgment and order of conviction dated 17.07.2025 in CrI.A.No.10 of 2024 in S.T.C. No.762 of 2022 by Judicial Magistrate I, Karaikal and enlarge the petitioner on bail.

For Petitioner : Mr.M.Sounder Vijay Arulram

**ORDER**

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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Sessions Judge, Karaikal in Crl.A.No.10 of 2024, dated 17.07.2025, confirming the Judgment dated 09.05.2024 passed in S.T.C.No.762 of 2022 by the learned Judicial Magistrate-I, Karaikal and enlarge the petitioner on bail pending disposal of the above Criminal Revision.

2. The petitioner herein is the accused in S.T.C No. 762 of 2022 on the file of the learned Judicial Magistrate-I, Karaikal. 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 awarded to pay Rs.13,00,000/-, in default, to undergo simple imprisonment for the period of two months. Aggrieved by the same, the petitioner had filed an appeal in Crl.A No.10 of 2024 before the learned Sessions Judge, Karaikal by an order dated 17.07.2025, 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 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, coupled with the quantum of punishment imposed upon the petitioner and taking into consideration 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 petitioner shall deposit a sum of Rs.4,00,000/- (Rupees four lakhs only) to the credit of S.T.C.No.762 of 2022 on the file of learned Judicial Magistrate-I, Karaikal, within a period of four weeks from today. Failing which, the order passed by this Court shall stand automatically cancelled.



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(ii) On such deposit being made, the respondent/complainant is permitted to withdraw the amount on filing undertaking affidavit.

(iii) 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.

(iv) On the petitioner depositing the amount as stated clause (i) supra, the sentence of imprisonment alone, imposed on the petitioner/accused, shall be suspended, on her 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;

(v) 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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(vi) 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 her absence, as directed by the trial Court;

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

25-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. Sessions Judge, Karaikal.

2. Judicial Magistrate-I, Karaikal.



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T.V.THAMILSELVI J.

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