



WEB COPY

CRL OP No. 28707 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 28707 of 2025

Vasantha Sethuraman

D/o. Sethuraman,

Petitioner(s)

Vs

1. M/s. Global Beverage Inc.
Rep by power of Attornery,
Mr. Ravichandran, S/o. Gnanasekar,
No.58/2, Pondy Villupuram,
Main Road, Villianur,
Puducherry – 605 007.

2.The State Rep by,
The Public prosecutor

Respondent(s)

PRAYER

This Criminal Original Petition filed under Section 528 of BNSS to modify the condition to deposit 20% of the cheque amount, dated 12.08.2025 passed in Crl.M.P.No.01/2025 in Crl.A.No.44/2025 before this Hon'ble Principal Sessions Judge at Puducherry.

For Petitioner(s): Mr.A.M.Sheik Mohammed Rafiq



For Respondent(s): Mr. M.V.Ramachandramurthi,
Addl. Public Prosecutor
(puducherry), for R2

ORDER

The Criminal Original Petition has been filed seeking to modify the condition imposed by the First Appellate Court while suspending the sentence in M.P.No.1 of 2025.

2. The contention of the petitioner is that the petitioner, who is the sole accused in STC.No.1150 of 2021, was convicted for the offence under Section 138 of the Negotiable Instruments Act by the learned Judicial Magistrate, Fast Track Court, Puducherry. Aggrieved over the same, he filed an appeal along with a petition seeking suspension of sentence before the Principal Sessions Court, Puducherry. The First Appellate Court, by its order dated 12.08.2025, allowed the petition for suspension of sentence on condition that the petitioner shall deposit 20% of the cheque amount before the Trial Court. Hence, the present petition has been filed seeking modification of the said condition.



3. The learned counsel for the petitioner would submit that the petitioner has been affected by stroke and her husband has also undergone open-heart surgery. Therefore, she is not in a financial position to deposit 20% of the cheque amount as directed by the First Appellate Court. Medical records have also been produced in support of her contention.

4. Heard the learned Additional Public Prosecutor, Puducherry, appearing for the second respondent and perused the materials available on records carefully.

5. Considering the facts and circumstances of the case, this Court is inclined to modify the condition imposed by the First Appellate Court.

6. Accordingly, the condition regarding deposit of cheque amount imposed by the learned Principal Sessions Judge, Puducherry, in M.P.No.1 of 2025 in Crl.A.No.44 of 2025 dated 12.08.2025, is modified to the effect that the petitioner shall deposit 10% of the cheque amount, before the Judicial Magistrate, Fast Track Court, Puducherry in STC No.1150 of 2021.



7. With the above modification, this Criminal Original Petition stands disposed of.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

mrp

To

1. The Principal Sessions Court,
Puducherry.

2. The Judicial Magistrate,
Fast Track Court,
Puducherry.



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N.SATHISH KUMAR J.

mrp

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