



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 22031 of 2025

IN

CRL RC NO. 2484 OF 2025

GOMATHI

W/o.Rajkumar,

50/20H-2, Palaniappa Oil Mill Street,

Paramathi Town, Paramathi Velur

Taluk, namakkal District

Petitioner(s)

Vs

SRIDHAR

S/o.Jayaram,

East Street, Nallipalayam, Namakkal

District

Respondent(s)

PRAYER

To suspend the sentence imposed in STC.No.928 of 2022 dated 19.11.2024 and the same was confirmed by the Appellate Court in C.A.NO.1 of 2025 on the file of I Additional District and Sessions Judge, Namakkal by judgement dated 19.09.2025 and release him on bail pending disposal of the above Criminal Revision petition



WEB COPY

CRL MP No. 22031 of 2025



For Petitioner(s): Mr. C.S. Saravanan

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Sessions Judge, I Addl. District and Sessions Judge, Namakkal in C.A.No.1 of 2025, dated 19.09.2025, confirming the Judgment dated 19.11.2024 passed in S.T.C.No.928 of 2022 by the learned Judicial Magistrate No.1, Namakkal 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. 928 of 2022 on the file of the learned Judicial Magistrate No.1, Namakkal. 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.2,00,000/-, in default, to undergo simple imprisonment for 7 days. Aggrieved by the same, the petitioner had filed an appeal in Crl.A No.1 of 2025 before the learned I Addl. District and Sessions Judge, by an order dated 19.09.2025, 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 is no legally enforceable debt between the petitioner and complainant and only her husband is dealing with the respondent. He would submit that she has been falsely implicated in this case, inspite of that, she was convicted. 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 there is no legally enforceable debt between the petitioner and complainant and only her husband is dealing with the respondent and she has been falsely implicated in this case and also 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:



WEB COPY

(i) the petitioner shall deposit a sum of Rs.75,000/- (Rupees seventy five only) to the credit of S.T.C.No.928 of 2022 on the file of learned **Judicial Magistrate No.I, Namakkal**, within a period of three weeks from today. Failing which, the order passed by this Court shall stand automatically cancelled.

(ii) On such deposit being made, the defacto 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 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;

(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;



WEB COPY

(vi) The petitioner shall appear before the Trial Court as and when required 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;

(vii) If any deviation in complying any condition, the suspension of sentence ordered by this court shall stand vacated;

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

21-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

rpp

To

1. I Addl. District and Sessions Judge, Namakkal.

2. Judicial Magistrate No.I, Namakkal.



WEB COPY

CRL MP No. 22031 of 2025



T.V.THAMILSELVI J.

rpp

**CRL MP No. 22031 of
2025
IN CRL RC NO. 2484
OF 2025**

**21-11-2025
(2/3)**