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CRL RC No. 2397 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 21622 OF 2025

IN

CRL RC No. 2397 of 2025

1. S.Hema

W/o.Arun Ragavendar, No.364, TNHB
Quarters, Mambakkam Main Road,
Sittalapakkam, Chennai-600 126.

Petitioner(s)

Vs

1. B.Krishnamoorthy

S/o.Bakthavachalam, No.15, Ganapathy
Street, Royapettah, Chennai-600 014.

Respondent(s)

CRL MP No. 21622 of 2025

PRAYER

To suspend the sentence confirmed by the XIX Additional Sessions Judge, City Civil Court, Chennai on 23.09.2025 in C.A.No.515/2025 imposed on her in STC No.8033/2024 by the Metropolitan Magistrate, Fast Track Court-I, Egmore at Allikulam, Chennai on 04.04.2025 and enlarge the petitioner on bail pending disposal of the above numbered main Revision Petition.

CRL RC No. 2397 of 2025

For Petitioner(s): T.Naveen Chandar
G.Tamilselvan
P.Sreenath

For Respondent:

ORDER



This petition has been filed to suspend the sentence confirmed by the XIX Additional Sessions Judge, City Civil Court, Chennai on 23.09.2025 in C.A.No.515/2025 imposed on her in STC No.8033/2024 by the Metropolitan Magistrate, Fast Track Court-I, Egmore at Allikulam, Chennai on 04.04.2025 and enlarge the petitioner on bail pending disposal of the above numbered main Revision Petition.

2. The petitioner herein is the accused in STC No.8033/204 on the file of the Metropolitan Magistrate, Fast Track Court-I, Egmore at Allikulam, Chennai. He was found guilty of the offence under Sections 138 of N.I Act and sentenced to undergo 6 months Simple Imprisonment and also directed to pay a compensation of Rs.3,50,000/-, in default, to undergo two months Simple Imprisonment. Aggrieved by the same, the petitioner had filed appeal in C.A.No.515/2025 on the file of the XIX Additional Sessions Judge, City Civil Court, Chennai, by an order dated 23.09.2025, it had dismissed the appeal against which the present revision has been filed.

3. The learned counsel for the petitioner/accused would submit that the courts below failed to take note of the fact that there is difference of signature in promissory note and the case cheque and also failed consider the rebuttal of presumption in the aspect of the amount filled in the cheque. Further, 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.1,00,000/- to the credit of** STC No.8033/2024 on the file of the Metropolitan Magistrate, Fast Track Court-I, Egmore at Allikulam, Chennai, within a period of 3 weeks from today. Failing which, the order passed by this Court shall stand automatically cancelled and the complainant is permitted to withdraw the same by filing



undertaking affidavit.

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(ii) On such deposit being made, the trial Court shall redeposit the said amount in a Fixed Deposit Account, in any one of the Nationalized Banks, renewable thereafter periodically. The disbursal of this amount shall be decided at the culmination of the Criminal Revision Case;

(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;

(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 he is not able to appear before the trial Court on any day, he shall



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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.

18-11-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The XIX Additional Sessions Judge, City Civil Court, Chennai.

2. The Metropolitan Magistrate, Fast Track Court-I, Egmore at Allikulam, Chennai



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T.V.THAMILSELVI J.
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