



CRL MP(MD) NO. 820 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23-01-2025

CORAM

THE HONOURABLE MR JUSTICE P.VADAMALAI

CRL MP(MD) NO. 820 of 2025

IN

CRL RC(MD) NO. 70 of 2025

Krishnaveni

**W/o. Rengasamy, No. 178, West Street, Pinnaiyur, Orathanadu
Taluk, Thanjavur District.**

Petitioner(s)

Vs

Rajalakshmi

**D/o. Ramamirtham, No.305, 5th Street, Arockiya Nagar,
Nanjikkottai road, Thanjavur, Thanjavur District.**

Respondent(s)

For Petitioner(s):

Mr.C.Suresh Kannan, Advocate

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by the learned Judicial Magistrate, Fast Track Court, Thanjavur, in S.T.C.No.127 of 2021, dated 09.05.2023, which was confirmed by the learned I Additional District and Sessions Judge (PCR), Thanjavur in Criminal Appeal No.134 of 2023 dated 11.11.2024, pending disposal of the Criminal Revision Case in Crl.R.C.(MD)No.70 of 2025.



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2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 09.05.2023 for the offence under Section 138 of Negotiable Instruments Act, and the trial Court sentenced her to undergo simple imprisonment for a period of one year and to pay a sum of Rs.7,00,000/- (Rupees Seven Lakhs only) as compensation to the respondent within a period of one month, in default, to undergo simple imprisonment for a period of two months in S.T.C.No.127 of 2021 on the file of the learned Judicial Magistrate, Fast Track Court, Thanjavur.

3. The learned I Additional District and Sessions Judge (PCR), Thanjavur, by confirming the conviction and sentence, dismissed the Criminal Appeal No.134 of 2023, dated 11.11.2024. Challenging the same, the present Criminal Revision case, along with this Criminal Miscellaneous Petition seeking suspension of sentence, has been filed before this Court.

4. It is submitted by the learned counsel for the petitioner that there are several infirmities in the prosecution case, and also there are contradictions in material particulars between the evidence of the prosecution witnesses. Further, he submitted



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that the total cheque amount is Rs.7,00,000/- (Rupees Seven Lakhs only), and the petitioner is ready to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to show her bonafide.

5. This Court has carefully considered the submission made by the learned counsel appearing for the petitioner, and has also perused the materials available on record.

6. The learned counsel for the petitioner pointed out that there are certain infirmities and inconsistencies in this case, and also there are certain contradictions in material particulars. The fact remains that there are arguable points involved in this criminal revision and further, the criminal revision is not likely to be taken up for final hearing in the near future and as such, and also considering the bonafide expressed by the petitioner, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

7. Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the revision with the following directions :



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(i) The petitioner shall deposit a **sum of Rs.2,00,000/- (Rupees Two Lakhs only)** to the credit of S.T.C.No.127 of 2021 on the file of the learned Judicial Magistrate, Fast Track Court, Thanjavur **on or before 25.02.2025**, failing which, the sentence suspended shall automatically dismissed, and the respondent is at liberty to execute the sentence imposed by the trial Court against the petitioner in the manner known to law;

(ii) On such deposit, the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Fast Track Court, Thanjavur;

(iii) 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 to ensure their identity;

(iv) The petitioner shall appear before the learned Judicial Magistrate, Fast Track Court, Thanjavur once in a month i.e., on the first working day of every English calendar month at 10.30 a.m., until further orders; and



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(v) On such deposit, the learned Judicial Magistrate, Fast Track Court, Thanjavur shall re-deposit the said sum in a Nationalized Bank, so that, the amount accrues interest and the same can be disbursed depending upon the outcome of the Criminal Revision Case in Crl.R.C.(MD)No.70 of 2025.

8. Issue notice to the respondent returnable on 26.02.2025. Private notice is also permitted.

9. List the matter on **26.02.2025** under the caption “for reporting compliance”.

sd/-
23/01/2025

/ TRUE COPY /

/02/2025

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN

TO

1 THE I ADDITIONAL DISTRICT AND SESSIONS JUDGE, (PCR),
THANJAVUR, THANJAVUR DISTRICT.

2 THE JUDICIAL MAGISTRATE,
FAST TRACK COURT, THANJAVUR, THANJAVUR DISTRICT.



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3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.

+1 CC to M/s.C.SURESH KANNAN, Advocate (SR-741[I] dated 23/01/2025)

ORDER
IN
CRL MP(MD) No.820 of 2025
IN
CRL RC(MD) NO. 70 of 2025
Date :23/01/2025

SS/VR/SAR- /03/02/2025/ 6P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023