



Crl.R.C(MD)No.1022 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2025

CORAM

THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

CRL.R.C.(MD)No.1022 of 2025

Nirmala,
W/o.Vibin Kumar,
Keezhaparambu Vilakathu Veedu,
Vayalankarai,
Suriyakode Post,
Kanyakumari District.

... Petitioner

vs.

K.Murugan,
S/o.Kumarasamy,
Valiyamathil Veedu,
Amsi, Thengapattinam Post,
Kanyakumari District.

... Respondent

PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to call for the records and to set aside the order passed in Crl.MP.No.3146 of 2024 in Crl.A.No.111 of 2024 on the file of the Principal Sessions Judge, Kanyakumari, dated 30.08.2024.



WEB COPY



Crl.R.C(MD)No.1022 of 2025

For Petitioner :Mr.C.K.M.Appaji

For Respondent :Mr.T.Winsi

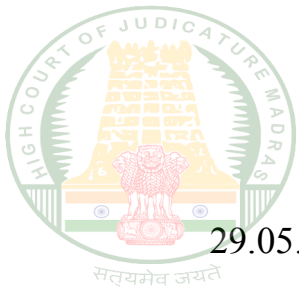
ORDER

Heard Mr.C.K.M.Appaji, learned counsel appearing for the Petitioner and Mr.T.Winsi, learned counsel, for the Respondent.

2. This Criminal Revision Petition has been filed by the petitioner to set aside the order passed in Crl.MP.No.3146 of 2024 in Crl.A.No.111 of 2024 on the file of the Principal Sessions Judge, Kanyakumari, dated 30.08.2024.

3.The facts of the case in a nutshell, led to filing of this Criminal Revision Petition and necessary for disposal of the same, are as follows:-

a) The Petitioner was convicted and sentenced for the offence under Section 138 of the NI Act, by the Judicial Magistrate Court-I, Padmanabhapuram, in S.T.C.No.464 of 2022 by the judgment dated



Crl.R.C(MD)No.1022 of 2025

29.05.2024, to undergo simple imprisonment for 6 months and to pay a sum of Rs.3,50,000/-, as compensation to the complainant within 3 months, in default of payment of amount, to undergo further period of simple imprisonment for 1 month. As against the same, the Petitioner filed a Criminal Appeal in Crl.A.No.111 of 2024 along with a petition for suspension of sentence in Crl.M.P.No.3146 of 2024.

b) The learned Principal Sessions Judge, Kanyakumari District at Nagercoil vide order dated 30.08.2024, allowed the said Crl.M.P.No. 3146 of 2024 with the condition that the Petitioner/accused shall deposit 20% of the total compensation amount imposed by the Trial Court, i.e., Rs.70,000/-, before the concerned Judicial Magistrate on or before 29.09.2024 and ordered the Petitioner to be enlarged on bail on his executing a bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.I, Padmanabhapuram, within two weeks from the date of the said order, failing which the suspension granted to her shall be automatically canceled.



Crl.R.C(MD)No.1022 of 2025

(c) Due to sudden illness and poor financial condition, the

Petitioner failed to deposit 20% of the compensation amount as directed by the Appellate Court, which resulted in dismissal of the order passed in Crl.MP.No.3146 of 2024 dated 30.08.2025. Aggrieved by the same, the present Criminal Revision Petition has been filed.

4. When the matter was taken up on 08.08.2025, the Co-ordinate bench of this Court passed the following order:

“The petitioner is ready and willing to deposit a sum of Rs.70,000/- to show his bonafide.

2.Considering the bonafide expressed by the petitioner, the petitioner is directed to deposit a sum of Rs.70,000/- to the credit of S.T.C.No.464 of 2022 on the file of the learned Judicial Magistrate No.I, Padmanabhapuram.

3.Post the matter 22.08.2025, under the caption 'for reporting compliance'”.



CrI.R.C(MD)No.1022 of 2025

5. When the matter was taken up on 22.08.2025, the Co-ordinate

WEB COPY bench of this Court passed the following order:

“The order passed by this Court, dated 08.08.2025 is complied with and memo has also been filed in this regard.

2. Notice to the respondent returnable by 16.09.2025. Private notice is also permitted.

3. Post on 16.09.2025.”

6. Today, when the matter is being taken up, the learned counsel for the Petitioner submits that the Petitioner is a poor lady undergoing financial distress, and, as a result, she was unable to deposit 20% of the compensation amount as directed by the Appellate Court within the stipulated time. The learned counsel further submits that, on an earlier occasion, the Petitioner had confined her prayer to seeking a direction from the Co-ordinate Bench of this Court to extend the time granted by the Trial Court for depositing the amount of Rs.70,000/-. The Co-ordinate Bench of this Court directed the Petitioner to deposit a sum



Crl.R.C(MD)No.1022 of 2025

of Rs.70,000/- to demonstrate her bonafide, to the credit of S.T.C.No.464

WEB COPY

of 2022 on the file of the learned Judicial Magistrate No. I, Padmanabhapuram. Pursuant to this, the Petitioner deposited the amount in compliance with the order dated 08.05.2025, passed by the Co-ordinate Bench of this Court.

7. The learned counsel for the Petitioner now confines his prayer to seeking further time for the Petitioner to execute the bond as directed by Principal Sessions Judge, Kanyakumari District at Nagercoil vide order dated 30.08.2024, in Crl.M.P.No.3146 of 2024, wherein the Appellate Court ordered the Petitioner to be enlarged on bail on her executing a bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.I, Padmanabhapuram, within two weeks from the date of the said order. He further submits that this Criminal Revision Petition may be disposed of accordingly.



CrL.R.C(MD)No.1022 of 2025

WEB COPY

8. Mr.T.Winsi, the learned counsel for the Respondent submitted that he has no objection to the prayer made by the learned counsel for the Petitioner. He further requests that this Court may direct the learned Judicial Magistrate No. I, Padmanabhapuram, to permit the Respondent to withdraw the sum of Rs. 70,000/- deposited by the Petitioner, within a time period stipulated by this Court.

9. Having considered the submissions of the learned counsel for the parties and perused the record, including the orders passed by the Co-ordinate Bench of this Court dated 08.08.2025 and 26.08.2025, this Court is of the view that no useful purpose would be served by keeping the present Revision Petition pending. The Petitioner has already complied with the directions issued by the Co-ordinate Bench of this Court dated 08.08.2025 and deposited the amount of Rs. 70,000/- to the credit of S.T.C. No. 464 of 2022 on the file of the learned Judicial Magistrate No. I, Padmanabhapuram, as evidenced by the deposit slip on



CrI.R.C(MD)No.1022 of 2025

record. Thus, the prayer sought by the Petitioner being limited, there is

WEB COPY

no justification to continue the present Revision Petition.

10. Accordingly, this Court grants a further period of three weeks from today for the Petitioner to comply with the order dated 30.08.2024, passed by the Appellate Court in CrI.M.P. No. 3146 of 2024, and execute a bond for Rs. 10,000/- with two sureties, each for a like sum, to the satisfaction of the Judicial Magistrate No. I, Padmanabhapuram, for being enlarged on bail.

11. The Respondent is permitted to file an appropriate application before the Judicial Magistrate No. I, Padmanabhapuram, seeking withdrawal of the sum of Rs.70,000/- (Rupees Seventy Thousand only) deposited by the Petitioner in compliance with the order dated 08.08.2025 passed by the Co-ordinate bench of this Court. Upon receipt of such application, the Judicial Magistrate No. I, Padmanabhapuram, is directed to process the same and release the aforesaid amount to the



Crl.R.C(MD)No.1022 of 2025

Respondent within a period of ten (10) days from the date of receipt of the application.

12. With the above observations, this Criminal Revision Petition is **disposed of** and the file is consigned to record. There shall be no order as to costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Nsr

16.09.2025

To:

1. The Judicial Magistrate No. I, Padmanabhapuram.
- 2.The Principal District and Sessions Judge,
Kanyakumari at Nagercoil.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.R.C(MD)No.1022 of 2025

SHAMIM AHMED, J.

Nsr

Order made in
Crl.R.C(MD)No.1022 of 2025

16.09.2025