



Crl.R.C(MD)No.1227 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.09.2025**

CORAM

THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

CRL.R.C.(MD)No.1227 of 2025

and

CRL MP(MD)No.11839 of 2025

V.Priya,
W/o.Vijay,
No.33 F, Pasupathi Layout,
Chinnandankovil Road,
4th Cross Street,
Karur.

... Petitioner

vs.

S.Dharama Siva Sankar,
S/o.Siva Sankar,
No.284, Thirukkampuliyur,
L.N.S.Post,
Karur.

... Respondent

PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to allow this Criminal Revision Petition and set aside the Condition No.(i) passed in Crl.M.P.No.142 of 2025 in C.A.No.16 of 2025 dated 12.02.2025 on the file of Learned Principal District and Sessions Judge, Karur.



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For Petitioner :Mr.M.Vivek Kumar

ORDER

Heard Mr.M.Vivek Kumar, learned counsel for the Petitioner. Since the Criminal Revision Petition is disposed of at the admission stage itself and in view of the order to be passed in this petition, notice to the Respondent is dispensed with.

2. This Criminal Revision Petition has been filed by the petitioner to set aside the Condition No.(i) passed in Crl.M.P.No.142 of 2025 in C.A.No.16 of 2025 dated 12.02.2025 on the file of Learned Principal District and Sessions Judge, Karur.

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



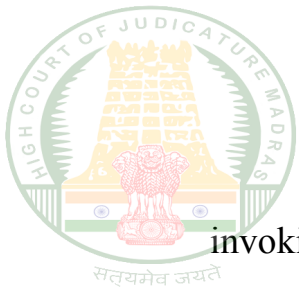
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a) The Respondent herein filed a complaint against the Petitioner under

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Sections 138 and 142 of the Negotiable Instruments Act in S.T.C. No. 51 of 2022 on the file of the Learned Judicial Magistrate, Fast Track Court at Magisterial Level, Karur. After full trial, the Learned Trial Court, by judgment dated 26.12.2024, convicted the Petitioner and sentenced him to undergo one year Simple Imprisonment and to pay a compensation of Rs.1,50,000/- to the complainant within one month from the date of the judgment, failing which, in default of payment, to undergo a further period of one month Simple Imprisonment. Subsequently, based on a petition filed by the Petitioner in CrI.M.P. No. 922 of 2024, the Learned Trial Court suspended the sentence till 24.09.2025.

b) Challenging the judgment of the Trial Court, the Petitioner preferred a Criminal Appeal in C.A. No. 16 of 2025 before the Learned Principal District and Sessions Judge, Karur. Along with the Criminal Appeal, the Petitioner also filed a petition for suspension of sentence in CrI.M.P. No. 142 of 2025. Upon hearing the submissions made on behalf of the Petitioner, the Learned Appellate Court, by its order dated 12.02.2025, suspended the sentence until the disposal of the Criminal Appeal, by



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invoking Section 148 of the Negotiable Instruments Act, subject to the

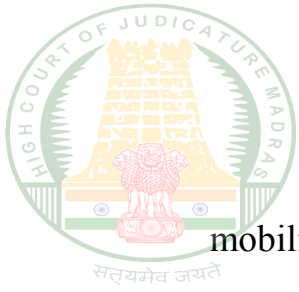
following conditions:

i) The Petitioner shall deposit 25% of the compensation amount to the credit in S.T.C.No.51 of 2022 on the file of the Judicial Magistrate, Fast Track Court @ Magisterial Level, Karur on or before 03.03.2025 failing which the petition shall stands dismissed automatically. The above said condition is imposed by exercising powers u/s.148 of NI Act.

ii) The bonds executed by the Petitioner and his sureties before the Trial Court will be considered good and sufficient for the appeal also.

iii) The Petitioner should appear and sign before the Judicial Magistrate, Fast Track Court @ Magisterial Level, Karur once in a month on every 1st working day at 10.30 a.m till the disposal of the criminal appeal. Call on 04.03.2025.”

c) Since the Petitioner was unable to comply with Condition No. (i) imposed by the First Appellate Court in its order dated 12.02.2025, the Petitioner filed a petition seeking extension of time in Crl.M.P. No. 634 of 2025. The Appellate Court, by order, extended the time for compliance till 25.04.2025. However, the Petitioner was unable to



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mobilize the 25% of the compensation amount as directed. Consequently, by order dated 29.04.2025, the Appellate Court dismissed the Suspension of Sentence granted earlier in CrI.M.P. No. 142 of 2025, for non-compliance with the condition imposed. Aggrieved over the same, the Petitioner filed the present Criminal Revision Petition.

4. Mr.M.Vivek Kumar, 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 25% of the compensation amount as directed by the Appellate Court within the stipulated time. The learned counsel further submits that, in the present petition, the Petitioner is confining her prayer to the limited extent of seeking a direction from this Court permitting the Petitioner to deposit the said amount within a time frame to be fixed by this Court.

5.After considering the submissions made by the learned counsel for the Petitioner and upon perusal of the averments contained in the affidavit filed in support of the petition, this Court grants a further period



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of three (3) weeks from today, as a final opportunity, to the Petitioner to comply with Condition No. (i) of the order dated 12.02.2025 passed by the Appellate Court, without fail. Till such time, no coercive action shall be taken against the Petitioner.

6. With the above observations, this Criminal Revision Petition is **disposed of**. Consequently, connected miscellaneous petition stands closed.

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

04.09.2025



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Note: Issue Order Copy on 04.09.2025

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To:

- 1.The Principal District and Sessions Court, Karur.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SHAMIM AHMED, J.

Nsr

Order made in
Crl.R.C(MD)No.1227 of 2025

04.09.2025