



Crl.R.C.(MD)Nos.951 & 952 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2025

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)Nos.951 & 952 of 2025

and

Crl.M.P(MD)No.10012 of 2025

M.Kalaiselvi

... Petitioner
(In both cases)

Vs.

P.Thangarasu

... Respondent
(In both cases)

Prayer in Crl.R.C(MD)No.951 of 2025 : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the entire records pertaining to the order passed by the Learned Principal Sessions Judge, Karur District in Crl.M.P.No.780 of 2025 in C.A.No.130 of 2025 dated, 17.06.2025 and set aside the same.

Prayer in Crl.R.C(MD)No.952 of 2025 : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the entire records pertaining to the order passed by the Learned Principal Sessions Judge, Karur District in V.Crl.M.P.No.155 of 2025 in V.C.A.No.6 of 2025 dated, 30.05.2025 and set aside the same.

For Petitioner : Mr.P.Samuel Gunasingh



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ORDER

Challenging the order passed by the Principal District and Sessions Judge, Karur in Crl.M.P.No.780 of 2025 in C.A.No.130 of 2025, Crl.R.C(MD)No.951 of 2025 has been filed.

2. Challenging the order passed by the Vacation Sessions Judge, Karur in V.Crl.M.P.No.155 of 2023 in V.C.A.No.6 of 2025, Crl.R.C(MD)No.952 of 2025 has been filed.

3. The petitioner made an application under Section 430 of BNS Act r/w 389 (1) of Cr.P.C seeking to suspend the sentence passed by the learned Judicial Magistrate, Fast Track Court @ Magisterial Level, Karur in S.T.C.No.445 of 2020, dated 29.04.2025. On allowing the said application, the Trial Court directed the petitioner to deposit 25% of the compensation amount to the credit of S.T.C.No.445 of 2020 within a period of 15 days from the date of the said order. Thereafter, the petitioner was not able to pay the said amount as per the direction of the Court within 15 days. In consequent to that, the Principal District and



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Sessions Judge, Karur had passed subsequent order in Crl.M.P.No.780 of 2025 in C.A.No.130 of 2025 dismissing the petition for suspension of sentence as per the order, dated 30.05.2025. Challenging the main order dated 30.05.2025 and the consequential order dated 17.06.2025, Crl.R.C(MD)Nos.951 & 952 of 2025 have been filed by the appellant/accused.

4. The learned counsel for the petitioner submitted that the statute mandates 60 days time while directing to make payment as per Section 148 of the Negotiable Instruments Act.

5. A careful perusal of Section 148 (2) of Negotiable Instruments Act, 1881 would make it clear that the amount referred to in 148 (1) shall be deposited within a period of 60 days from the date of order or within such further period, not exceeding 30 days as directed by the Court if sufficient cause is shown by the appellant. However, a careful perusal of the impugned order would reveal that the date of impugned order being 30.05.2025, the Trial Court directed the petitioner herein to make payment within a period of 15 days. A period of 60 days as stipulated in



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Section 148 (2) of the Negotiable Instrument Act, 1881 would lapse by tomorrow i.e., 31.07.2025. However, considering the submission made by the learned counsel for the petitioner explaining the financial constraints which is being suffered by the petitioner, who is a woman, this Court sets aside the order passed in Crl.M.P.No.780 of 2025 in C.A.No.130 of 2025, dated 17.06.2025 and modify the order dated 30.05.2025 by directing the petitioner to deposit 20% of the compensation amount to the credit of S.T.C.No.445 of 2020 on the file of learned Judicial Magistrate, Fast Track Court @ Magisterial Level, Karur on or before 18.08.2025. If any default in payment of the same would, it would warrant restoration of the order passed in Crl.M.P.No.780 of 2025 in C.A.No.130 of 2025, dated 17.06.2025.

6. Accordingly, both the Criminal Revision Cases are disposed of. Consequently, connected Miscellaneous Petition is closed.

30.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Principal Sessions Judge,
Karur District.
- 2.The Judicial Magistrate,
Fast Track Court @ Magisterial Level,
Karur.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI ,J.

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Order made in
Crl.R.C.(MD)Nos.951 & 952 of 2025

Dated: 30.07.2025