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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2026

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

Crl.M.P. No. 1200 of 2026

in

Crl.R.C. No. 180 of 2026

S. Sridevi

..Petitioner

Vs.

M. Natarajan

..Respondent

For Petitioner :: Ms. R. Indhumathi

For Respondent :: Mr.M.S. Swathishkumar

O R D E R

This matter has been listed under the caption 'For Being Mentioned' at the instance of the learned counsel for the petitioner.

2. It is brought to the notice of this Court by the learned counsel for the petitioner that paragraph Nos. 1 and 3 of the order dated 29.01.2026 in the above criminal miscellaneous petition do not find place in the uploaded copy and therefore, the petitioner could not execute the sureties



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SUNDER MOHAN,J.

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as directed by this Court in the said order. Therefore, he would request that the order copy with all paragraphs intact may be uploaded and time may be granted to execute the sureties.

3. Considering the submission made by the learned counsel for the petitioner, Registry is directed to verify the said fact and upload the order dated 29.01.2026 with all paragraphs intact afresh. The time granted to execute the sureties is extended by two weeks.

26.02.2026

nv

To

1. The I Addl. District and Sessions Judge,
Thiruvallur.
2. The Judicial Magistrate,
Fast Track Court at Magisterial Level,
Tiruvallur.

Crl.M.P. No. 1200 of 2026

in

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

Crl.M.P.No.1200 of 2026

in Crl.R.C.No.180 of 2026

S.Sridevi

...Petitioner

-VS-

M.Natarajan

...Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 438 (1) of BNSS, to suspend the sentence imposed on the petitioner in Criminal Revision Petition against the judgment dated 14.11.2025 in Crl.A.No.118 of 2024 on the file of the learned I Additional District and Sessions Judge, Thiruvallur, confirming the judgment dated 02.06.2024 in STC.No.135 of 2022, on the file of the learned Fast Track Judge Magistrate Level, Thiruvallur pending disposal of the above Criminal Revision Petition.

For Petitioner : Ms.R.Indhumathi

For Respondent : Mr.M.S.Swathish Kumar



ORDER

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The petitioner has preferred the above revision challenging the judgment dated 14.11.2025 passed by the learned I-Additional District and Sessions Judge, Thiruvallur, in CrI.A.No.118 of 2024 confirming the judgment of the learned Magistrate convicting the petitioner for the offence under Section 138 of the Negotiable Instruments Act, and sentencing her to undergo simple imprisonment for a period of six months, with a default sentence of simple imprisonment for one month besides directing the petitioner to pay compensation of Rs.12,72,000/-. The instant petition has been filed to suspend the sentence imposed on the petitioner.

2. It is the case of the respondent that the petitioner had issued a cheque for a sum of Rs.12,72,000/- towards discharge of liability; that when the said cheque was presented for collection, it was returned stating 'Drawer Signature Differs'; that in spite of the statutory notice, the petitioner did not make the payment; and hence liable for the said offence.

3. The learned counsel for the petitioner would submit that the



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petitioner has raised substantial grounds in the above revision; that the petitioner has rebutted the statutory presumption; that the judgment of the Courts below are liable to be set aside; and that, to show his bona fides, the petitioner is willing to deposit 40% of the cheque amount.

4. Heard the learned counsel for the petitioner and perused the materials available on record.

5. Having regard to the submission made by the learned counsel for the petitioner that there are substantial grounds raised in the above revision which require consideration, and the fact that the petitioner is willing to deposit 40% of the cheque amount, this Court is inclined to suspend the sentence imposed on the petitioner, subject to the following conditions:

(i) The petitioner/Accused shall deposit 40% of the cheque amount to the credit of S.T.C.No.135 of 2022 on the file of learned Judicial Magistrate, Fast Track Court at Magisterial Level, Tiruvallur, within a period of four weeks



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from the date of receipt of a copy of this order;

(ii) On such deposit being made, the respondent is permitted to withdraw the amount already deposited before the Trial Court as well as the amount which is now sought to be deposited. It is needless to state that the respondent shall file an affidavit of undertaking before the learned Magistrate that the said amount withdrawn shall be refunded to the petitioner in case the petitioner succeeds;

(iii) Thereafter, the sentence of imprisonment alone imposed on the petitioner/Accused shall be suspended, on her executing a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of the learned Judicial Magistrate, Fast Track Court at Magisterial Level, Tiruvallur;

(iv) 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;

(v) The petitioner shall appear before the Trial Court on the first working day of every month at 10.30 a.m. until the disposal of the revision and if she is not able to appear before



the Trial Court on any day, she shall make arrangements to file an application under Section 317 Cr.P.C., and shall appear before the Trial Court on any other day in lieu of the date of her absence, as directed by the Trial Court; and

(vi) On the failure of the petitioner/Accused, depositing the said amount, it is open to the Trial Court to commit the petitioner/accused into custody for undergoing the sentence.

6. Accordingly, this Criminal Miscellaneous Petition is ordered.

29.01.2026
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To

- 1.The I Additional District and Sessions Court, Thiruvallur,
- 2.The Judicial Magistrate,
Fast Track Court at Magisterial Level,
Tiruvallur,



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SUNDER MOHAN, J.

Mac

**Crl.M.P.No.1200 of 2026
in
Crl.R.C.No.180 of 2026**

**29.01.2026
(2/2)**