



Crl.M.P.Nos.4653 and 4654 of 2026
in Crl.R.C.No.609 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2026

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THE HONOURABLE MR JUSTICE C. KUMARAPPAN

Crl.M.P.Nos.4653 and 4654 of 2026
in
Crl.R.C.No.609 of 2026

Mrs.Meera Arun

...Petitioner/Accused

-VS-

M/s.RSK Housing (India) Pvt Limited,
Rep. By its Director and Power Agent,
Mr.Ramesh Kumar C Soningara
S/o.Champalaji Soningara
Old No.13A, New No.45,
Ground Floor, Ormes Road,
First Cross, Kilpauk,
Chennai – 600 010.

...Respondent

PRAYER in Crl.M.P.No.4653 of 2026: Criminal Miscellaneous Petition filed under Section 438(1) of BNSS Act, 2023, praying to suspend the sentence imposed on the petitioner in C.C.No.1226 of 2019 on the file of the learned III Metropolitan Magistrate Court, George Town, Chennai, dated 08.10.2024 confirmed by the learned XV Additional Sessions Judge, City Civil Court, Chennai in C.A.No.841 of 2024 dated 19.12.2025 pending disposal of the above Criminal Revision Case.

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PRAYER in Crl.M.P.No.4654 of 2026: Criminal Miscellaneous Petition filed under Section 528 of BNSS, praying to exempt the petitioner from surrendering in pursuant to the order by the learned XV Additional Sessions Judge, City Civil Court, Chennai in C.A.No.841 of 2024 dated 19.12.2025 against the order of the learned III Metropolitan Magistrate Court, George Town, Chennai in C.C.No.1226 of 2019 dated 08.10.2024, pending disposal fo the above mentioned Criminal Revision case.

For Petitioner : Mr.R.Krishnakumar

COMMON ORDER

The petitioner has preferred the above revision challenging the judgment dated 19.12.2025 passed by the learned XV Additional Sessions Judge, City Civil Court, Chennai in C.A.No.841 of 2024 confirming the judgment of the learned III Metropolitan Magistrate Court, George Town, Chennai made in C.C.No.1226 of 2019 dated 08.10.2024 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 two years and to pay compensation of Rs.43,88,380/- and in default of the compensation, a simple imprisonment of 3 months was imposed. The instant petitions have been filed to suspend the



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sentence imposed on the petitioner and to exempt the petitioner from
surrendering before the Trial Court, pending disposal of the above revision.

2. It is the case of the respondent that the petitioner had issued cheques for a sum of Rs.19,88,380/- (Rupees Nineteen Lakh eighty Eight Thousand Three Hundred and Eighty Only) and Rs.24,00,000/- (Rupees Twenty Four lakhs only) towards full and final settlement of loan with interest; that when the said cheque was presented for collection, it was returned for the reason 'Payment stopped by Drawer'; 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 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 50% of the cheque amount.

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

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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 50% of the cheque amount, this Court is inclined to grant suspension of sentence and exempt the petitioner from surrendering before the Trial Court, subject to the following conditions:

(i) The petitioner/Accused shall deposit 50% of the cheque amount to the credit of C.C.No.1226 of 2019 on the file of the learned III Metropolitan Magistrate, George Town, Chennai, within a period of six weeks from the date of receipt of a copy of this order.

(ii) On such deposit being made, the Trial Court shall redeposit the said amount in a Fixed Deposit Account, in any one of the Nationalized Banks, renewable thereafter periodically. The disbursal of this amount shall be decided at the culmination of the Criminal Revision Case.

(iii) Thereafter, the sentence of imprisonment alone imposed on the petitioner/accused shall be suspended, on his executing a bond a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of the learned III Metropolitan Magistrate Court, George Town, Chennai.



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(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 he is not able to appear before the Trial Court on any day, he 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 his absence as directed by the Trial Court.

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

6. Accordingly, these Criminal Miscellaneous Petitions are ordered.

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C. KUMARAPPAN, J.

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To

- 1.The III Metropolitan Magistrate Court, George Town, Chennai.
2. The XV Additional Sessions Judge, City Civil Court, Chennai.

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