



WEB COPY

CRL MP No. 1722 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL MP No. 1722 of 2026

in

Crl.RC.No.2703 of 2025

Lenin Mary Mars

Petitioner(s)

Vs

1. A.Sameena

Respondent(s)

PRAYER

To Suspend the sentence confirmed by the appellate court in Crl.A.No. 463 of 2024 on the file of the Learned XVII Additional and Sessions Judge, at Chennai dated 13.02.2025 in S.T.C.No. 1692 of 2021 dated 22.02.2024 on the file of the Learned Fast Track Court No.1, Egmore @ Allikulam, Chennai on the petitioner and enlarge the petitioner on bail pending disposal of the above Crl.RC.No. 2703 of 2025.

For Petitioner(s): Mr.A.B. Ashok

For Respondent(s): Mr.P.G.Thiyagu

ORDER

The petitioner has preferred the above revision challenging the judgment passed by the learned XVII Additional Sessions Judge, Chennai, in C.A.No.463 of 2024 dated 13.02.2025, confirming the judgment of the learned Magistrate



convicting the petitioner for the offence under Section 138 of the Negotiable Instruments Act and sentencing him to undergo six months Simple Imprisonment and to pay compensation of Rs.21,00,000/-, in default, to undergo a further period of two months Simple Imprisonment. The instant petition has been filed to suspend the sentence imposed on the petitioner, pending disposal of the above revision.

2. It is the case of the respondent that the petitioner had issued a cheque for a sum of Rs.11,00,000/- towards discharge of liability; that when the said cheque was presented for collection, it was returned for the reason 'Funds Insufficient'; 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 a sum of Rs.4,00,000/- to the credit of STC.No.1692 of 2021 on the file of the learned Metropolitan Magistrate, Fast Track Court No.I, Egmore, Chennai.

4. Heard the learned counsel for the respondent 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 a sum of Rs.4,00,000/-, this Court is inclined to grant suspension of sentence, subject to the following conditions:

(i) The petitioner is ordered to be enlarged on bail, on condition that the petitioner shall deposit a sum of Rs.4,00,000/- to the credit of STC.No.1692 of 2021 on the file of the learned Metropolitan Magistrate, Fast Track Court No.I, Egmore @ Allikulam, Chennai, within a period of four 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 for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of the Trial Court.

(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 a 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 that 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. The respondent is permitted to withdraw the sum of Rs.4,00,000/-, and is also permitted to withdraw whatever amount that the petitioner has deposited so far to the credit of STC.No.1692 of 2021 on the file of the learned Metropolitan Magistrate, Fast Track Court No.I, Egmore @ Allikulam, Chennai.

7. If the petitioner fails to deposit the said sum of Rs.4,00,000/-, the order of suspension of sentence granted by this Court shall stand automatically vacated.



8. Accordingly, this Criminal Miscellaneous Petition is ordered.

WEB COPY

10-02-2026

skr

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. Learned XVII Additional and Sessions Judge, Chennai
2. Learned Metropolitan Magistrate, Fast Track Court No.I,
Egmore @ Allikulam, Chennai
3. Learned Public Prosecutor, Madras High Court, Chennai



WEB COPY

CRL MP No. 1722 of 2026



SUNDER MOHAN J.
skr

**CRL MP No. 1722 of 2026
in Crl.RC.No.2703 of 2025**

10-02-2026