



WEB COPY

CRL RC No. 267 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 13.03.2026**

CORAM

**THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN**

**Crl RC No. 267 of 2021  
and  
Crl MP No.18710 of 2022**

S.S.Mohamed Fouzia

..Petitioner

Vs

S.Selvi  
Rep.by her Power of Attorney  
R.Saravanan.

..Respondent

**Prayer :** Criminal Revision Case is filed under section 397 & 401 of the Code of Criminal Procedure, to set aside the Judgment of the Appellate Court made in C.A.No.5 of 2020, dated 09.12.2020 on the file of the learned VI Additional Sessions Judge, City Civil Court, Chennai, in dismissing the Appeal filed by the petitioner/appellant herein and confirming the conviction and sentence passed by the learned Metropolitan Magistrate, Fast Track Court No.II, Allikulam, Chennai, in C.C.No.6434 of 2016 by Judgment dated 11.12.2019 in convicting the petitioner herein for the alleged offence under Section 138 of the Negotiable Instruments Act and sentencing her to undergo one year simple imprisonment and to pay compensation of Rs.2,00,000/-, in default to undergo three months simple imprisonment.

For Petitioner : Mr.M.Khader Basha

For Respondent: Mr.L.Rajasekar



## **ORDER**

This Criminal Revision Case has been filed challenging the Judgment dated 09.12.2020 passed in CrI.A.No.5 of 2020 by the VI Additional Sessions Judge, Civil City Court, Chennai, thereby confirming the order of conviction and sentence imposed by the Metropolitan Magistrate, Fast Track Court No.II, Allikulam, Chennai, in C.C.No.6434 of 2016 by judgment dated 11.12.2019, for the offence punishable under Section 138 of the Negotiable Instruments Act.

2. After a full-fledged trial, the Trial Court convicted the petitioner. Aggrieved by the same, the petitioner preferred an appeal. However, the said appeal was dismissed and confirmed the order of conviction and sentence imposed by the Trial Court. Hence, the present revision.

3. While suspending the sentence, this Court directed the petitioner to deposit a sum of Rs.40,000/- to the credit of C.C.No.6434 of 2016 on the file of the Metropolitan Magistrate, Fast Track Court No.II, Allikulam, Chennai. Accordingly, the petitioner has complied with the said condition. Today, the petitioner has brought a Demand Draft for the remaining sum of Rs.1,60,000/-. The respondent is ready and willing to receive the said Demand Draft and he has no objection to set aside the order of conviction and sentence imposed by the Trial Court and confirmed by the Appellate Court.



4. In view of the above, the Demand Draft for a sum of Rs.1,60,000/- dated 02.02.2026 is handed over to the counsel for the respondent herein. The respondent is also permitted to withdraw a sum of Rs.40,000/- before the Trial Court, by filing an appropriate application.

5. Accordingly, the Judgment dated 09.12.2020 passed in Crl.A.No.5 of 2020 by the VI Additional Sessions Judge, Civil City Court, Chennai, confirming the Judgment of conviction and sentence imposed by the Metropolitan Magistrate, Fast Track Court No.II, Allikulam, Chennai in C.C.No.6434 of 2016 by judgment dated 11.12.2019 is hereby set aside. It is made clear that the Trial Court is directed to permit the petitioner to withdraw the amount already deposited to the credit of C.C.No.6434 of 2016, without ordering notice to the petitioner.

6. In the result, this Criminal Revision Case is allowed. Consequently, connected miscellaneous petition is closed.

**13.03.2026**  
(½)

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No

LPP



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**G.K.ILANTHIRAIYAN J.**

**LPP**

To

1.The Metropolitan Magistrate,  
Fast Track Court No.II, Allikulam,  
Chennai.

2.The VI Additional Sessions Judge,  
City Civil Court,  
Chennai.

**CRL RC No. 267 of 2021**

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