



WEB COPY

CRL MP No. 3875 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL MP No. 3875 of 2026

in

Crl.RC.No. 504 of 2026

K.Sathish Kumar

..Petitioner(s)

Vs

Ramya Premnath

..Respondent(s)

Prayer: This criminal revision petition is filed under Section 438 r/w. 442 of BNSS to suspend the order of sentence dated 11.02.2026 in Crl.A.No.1188 of 2025 passed by the learned XIX Additional Judge, City Civil Court, Chennai confirming the judgment of the trial Court dated 26.08.2025 in S.T.C.No.8355 of 2024 on the file of learned FTC I, Metropolitan Magistrate Court at Chennai and enlarge the petitioner on bail pending the disposal of this criminal revision.

For Petitioner(s):

Mr.K.N.Nataraj

ORDER

The petitioner has preferred the above revision challenging the judgment passed by the XIX Additional City Civil Court, Chennai, in Crl.A.No.1188 of 2025 dated 11.02.2026, confirming the judgment of the learned Magistrate convicting the petitioner for the offence under Section 138 of the Negotiable Instruments Act, and sentenced him to undergo six months simple imprisonment and to pay compensation of Rs.5,00,000/- and in default to undergo one month simple imprisonment. The instant petition has been filed to



suspend the sentence imposed on the petitioner.

WEB COPY

2. It is the case of the prosecution that the petitioner had issued a cheque for a sum of Rs.5,00,000/- towards discharge of liability; that when the said cheque was presented for collection, it was returned for the reason 'Insufficient Funds'; 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 20% 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 20% of the cheque amount to the credit of CC.No.8355 of 2024, this Court is inclined to suspend the sentence imposed on the petitioner, subject to the following conditions:



WEB COPY

(i) The petitioner/Accused shall deposit 20% of the cheque amount to the credit of CC.No.8355 of 2024 on the file of the learned Metropolitan Magistrate, Fast Track Court-I, Egmore @ Allikulam, Chennai on or before **15.04.2026**;

(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 learned Metropolitan Magistrate, Fast Track Court-I, Egmore @ Allikulam, Chennai ;

(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; and

WEB COPY

(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. Call the matter on **16.04.2026**.

02-03-2026
2/2

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

rap



To

1. The Metropolitan Magistrate, Fast Track Court-I, Egmore @ Allikulam,
Chennai.

2. The XIX Additional City Civil Court, Chennai.

WEB COPY



WEB COPY

CRL MP No. 3875 of 2



C.KUMARAPPAN, J.

rap

CRL MP No. 3875 of 2026
in
CRL.RC.No. 504 of 2026

02-03-2026
2/2