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CRL MP Nos.7931& 7932 of 2026
in
CRL RC No. 1000 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-04-2026

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

**CRL MP Nos.7931& 7932 of 2026
in
CRL RC No. 1000 of 2026**

J.B.Faritha Begum

Petitioner(s)

Vs

G.Kondusamy

Respondent(s)

PRAYER in CRL MP No. 7931 of 2026: Criminal Miscellaneous Petition filed under Section 430(1) & (2) of BNSS, to suspend the sentence and conviction passed by I Additional District and Sessions Judge, Coimbatore in C.A.No. 220 of 2024 dated 04.02.2026, dismissing the appeal and confirming the order of Learned Judicial Magistrate FTC No-I at Coimbatore dated 12.06.2024 in C.C.No. 94 of 2019 and convicting the petitioner for the offence u/s. 138 of Negotiable Instruments Act and enlarge the petitioner on bail till the disposal of the revision and thus render justice.

PRAYER in CRL MP No. 7932 of 2026: Criminal Miscellaneous Petition filed under Section 528 of BNSS, to pass an order of exemption the surrender of the petitioner before the Fast Track Court -I Judicial Magistrate , Coimbatore in C.C.No. 94 of 2019, in pursuance with the order of dismissal passed in Criminal Appeal filed by the petitioner in Crl.A.No. 220/2024 before the I Additional District and Sessions Judge, Coimbatore and thus render justice.

For Petitioner(s): Mr.V.Govardhanan



COMMON ORDER

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This Criminal Revision case has been filed for setting aside the judgement dated 04.02.2026 in C.A.No.220 of 2024 on the file of I Additional District and Sessions Judge, Coimbatore. The appellate Court, while confirming the conviction and sentence imposed by the learned Judicial Magistrate, Fast Track Court No.I, Coimbatore in C.C.No.94 of 2019, dated 12.06.2024, modified the compensation amount from Rs.21,32,000/- to 19,32,000/-.

2. Along with revision, the petitioner has filed two Miscellaneous Petitions viz. CRL MP No. 7931 of 2026, seeking suspension of sentence and CRL MP No.7932 of 2026 for exempting him from surrendering pursuant to the judgments.

3. It is the case of the respondent that the petitioner had issued two cheques for a sum of Rs.7,50,000/- and Rs.3,16,000/- respectively towards discharge of liability; that when the said cheques were presented for collection, they were 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.

4. 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 her bona fides, the petitioner is willing to deposit 50% of the two cheque amount, i.e., Rs.5,33,000/- (Rupees Five Lakhs Thirty Three Thousand Only).

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

6. 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 two cheque amount i.e., Rs.5,33,000/- (Rupees Five Lakhs Thirty Three Thousand Only), this Court is inclined to suspend the sentence imposed on the petitioner, subject to the following conditions:

(i) The petitioner/Accused shall deposit 50% of the two cheque amount i.e., Rs.5,33,000/- (Rupees Five Lakhs Thirty Three Thousand Only) to the credit of C.C.No.94 of 2019 on the file of the learned Judicial Magistrate (Fast Track Court No.1), Coimbatore, on or before 08.06.2026;

(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 her executing a bond for a sum of Rs.25,000/- 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 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.



7. With the above directions, the Criminal Miscellaneous Petition viz.,
CRL MP No.7931 of 2026 is ordered.

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8. In the light of the order passed in Crl.M.P.No.7931 of 2026 granting suspension of sentence with certain conditions, Crl.M.P.No.7932 of 2026 filed seeking exemption of the petitioner from surrendering before the trial Court is closed, as no further order is required to be passed.

30-04-2026

Jd

Neutral Citation:Yes/No

To

1. I Additional District and Sessions Judge, Coimbatore.
2. The Learned Judicial Magistrate, FTC No-I, Coimbatore.
3. The Public Prosecutor,
Madras High Court, Chennai.



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