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Crl.M.P. No. 884 of 2026
in
Crl.R.C. No. 145 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2026

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

Crl.M.P. No. 884 of 2026
in
Crl.R.C. No. 145 of 2026

S. Mohanalakshmi
W/o. Rameskumar,
No.5/234-119th Street,
Muthamizh Nagar,
Kodungaiyur, Chennai – 600 118.

..Petitioner

Vs.

Leela Kamalraj,
W/o. Kamalraj,
No.1, Meenatchi Street,
Lakshmi Amman Nagar,
Erukkancherry,
Chennai – 600 118.

..Respondent

PRAYER: Criminal Miscellaneous Petition filed under Sections 430(1) of BNSS Act, to suspend the sentence imposed on the petitioner by judgment dated 10.09.2025 passed in Crl.A. No.677 of 2023 by the learned XIX Additional Sessions Judge, City Civil Court, Chennai confirming the



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judgment dated 27.04.2023 passed in C.C. No. 7373 of 2019 by the Fast Track Court No.1, Egmore at Allikulam, Chennai, pending disposal of the criminal revision petition.

For Petitioner :: Mr.T. Naveen Chandar

ORDER

The petitioner has preferred the above revision challenging the judgment dated 10.09.2025 passed by the learned XIX Additional Sessions Judge, City Civil Court, Chennai in Crl.A.No.677 of 2023 confirming the judgment of the learned Metropolitan Magistrate, Fast Track Court No.1, Egmore at Allikulam, Chennai convicting the petitioner for the offence under Section 138 of the Negotiable Instruments Act, and sentencing her to undergo simple imprisonment for one year. The instant petition has been filed to suspend the sentence imposed on the petitioner.

2. It is the case of the respondent that the petitioner had issued a cheque for a sum of Rs.7,50,000/- 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



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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 her bona fides, the petitioner is willing to deposit a sum of Rs.4 lakhs.

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 a sum of Rs.4 lakhs, this Court is inclined to suspend the sentence imposed on the petitioner, till the disposal of the revision, subject to the following conditions:

(i) The petitioner/Accused shall deposit a sum of



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Rs.4,00,000/- (Rupees Four Lakhs only) to the credit of C.C. No. 7373 of 2019 on the file of learned Metropolitan Magistrate, Fast Track Court No.1, 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 her 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;



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(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.

6. Accordingly, this Criminal Miscellaneous Petition is ordered.

Neutral Citation: Yes/No
nv

22.01.2026
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To

1. The XIX Additional District and Sessions Judge,
City Civil Court, Chennai.
2. The Metropolitan Magistrate,
Fast Track Court No.1, Egmore @ Allikulam,
Chennai.

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SUNDER MOHAN, J.

nv

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