

IN THE COURT OF SESSIONS, ERNAKULAM DIVISION

Present:-

Sri. Syamlal S R, Additional Sessions Judge II

(In- charge of Principal Sessions Judge)

Tuesday , the 2nd day of June, 2026/12th Jyaishta, 1948.

Crl. M.P. No.1 of 2026 in Crl.Appeal No 306/2026.

(Against Judgment dated 30.04.2026 in ST No 6237/2019 of the Judicial First Class Magistrate Court, (NI Act cases), Ernakulam)

**Petitioner/
Appellant/ Accused:**

Sheeja Biju, aged 42 years, W/o.Biju George, Proprietor of Glen Woods, Thereparambil House, St. Vincent Road, Palarivattom P O, Ernakulam-682 025.

**By Advs. P K Varghese, Jerry Mathew &
Siyad Ummer.**

Respondents /
Respondents/
Complainant:

1 Ninan M N, aged 66 years, S/o. Baby Ninan, Maruthaveli Puthanveetil House, Paradise Road, Vyttila, Kochi, Poonithura Village, Kanayannur Taluk, Ernakulam District.

2 State of Kerala represented by Public Prosecutor, Ernakulam District Court-682 031.

R2- By Public Prosecutor Sri. Manoj G Krishnan.

This petition coming on for hearing on 02.06.2026 and the court on the same day, passed the following:-

ORDER

This petition is filed under Section 430 of BNSS by the appellant in Criminal Appeal No.306 of 2026 to suspend the sentence passed against her

by the Judicial First Class Magistrate, for the trial of cases under Section 138 of the Negotiable Instrument Act Ernakulam.

2. As per the judgment dated 30.04.2026, the trial court found the appellant guilty of the offence punishable under Section 138 of the Negotiable Instruments Act and convicted and sentenced her to undergo imprisonment till rising of the court and to pay a fine of ₹2,96,661/-. In default of payment of fine, the appellant is sentenced to undergo simple imprisonment for a period of three months. The petitioner had filed the appeal assailing the conviction and sentence. Along with the appeal, the appellant has filed this petition to suspend the sentence.

3. Heard the counsel for the appellant.

4. The appeal has been admitted. On going through the appeal memorandum, it is evident that the petitioner has an arguable case. Therefore, in the interest of justice, the sentence imposed on her is to be suspended till the disposal of the appeal.

5. In the result, the petition is allowed.

- The execution of the sentence imposed on the appellant in CC No. 6237 of 2019 of the Judicial First Class Magistrate, for the trial of cases under Section 138 of the Negotiable Instrument Act, Ernakulam is suspended on the petitioner executing a bond for ₹50,000/- with two solvent sureties, each for the like sum, till the disposal of the appeal.

Dictated to Adalat AI, corrected and pronounced by me in open court on this the 2nd day of June 2026.

Sd/-

Syamlal.S.R.

Additional Sessions Judge -II
(In-charge of Principal Sessions Judge)

SM
comp. By:

Crl. M.P. Nos.1/2026
Crl..A. No.306/2026
Order dated:02.06.2026