

IN THE COURT OF THE ADDL. DISTRICT AND SESSIONS JUDGE,
MUVATTUPUZHA

Present:

SRI. HARIKUMAR K.N ADDL. DISTRICT AND SESSIONS JUDGE.

Wednesday 03rd day of September,2025/ 12th Bhadra, 1947.

CRIMINAL M.P. 420/2025
in CrI.A. No.500/2025

(Against the judgment dated 08.08.2025 in
CC 237/2021 on the file of Judicial First Class Magistrate Court-III,
Muvattupuzha)

Appellants/Accused:-

- 1 Sreekumari, aged about 43 years, W/o George, Nayin House,
Poovar P. O, Pathanavila, Thirupuram Desam, Poovar Village,
Thiruvananthapuram District.

By Advs. Bertrand Basil, Jithin Varghese, Joy Kuriakose & S.
Justus.

Respondents:-

- 1 Baby John, aged 63 years, S/o John, Vadakkepunnammattam
Kara, Kadavoor Village, Kothamangalam Taluk.
- 2 State of Kerala, Rep by the Public Prosecutor, District and
Sessions Court, Ernakulam.-682011.

R1 : No Vakalath

R2 : By Adv. Sri. K.S. Jyothikumar, Addl. Public Prosecutor,
Muvattupuzha.

This petition filed under section 148 of the Negotiable
Instrument Act is coming on for hearing on 03.09.2025 and on the
same day, the Court passed the following.

ORDER

This is a petition filed for the petitioner/appellant for an order waiving the statutory deposit of the fine/compensation amount awarded by the Trial Court u/s.148 of the NI Act.

Heard the learned counsel for the petitioner and perused the records. It is stated in the petition that the petitioner and her family will be subjected to unbearable hardships and injury unless this Court waive the deposit of the amount of compensation at the time of suspension of sentence. It is also stated that the petitioner is a lady who is facing severe financial issue and self employed without substantial income. For that reason the petitioner prays for waiving the deposit of fine/compensation for suspending the sentenced u/s.148(1) of the NI Act.

The learned counsel for the petitioner submitted that the petitioner is a lady and unable to deposit the amount for the reason that the petitioner has no substantial income. The counsel submitted that the fine imposed by the learned Magistrate is Rs.1,08,80,000/- and it is not mandatory to make the deposit. The reason stated is not at all sufficient to waive the requirement of deposit. This Court is not persuaded to exercise the discretion for waiving the said statutory requirement.

In the result, the petition is dismissed.

Pronounced by me in open Court on this the 03rd day of September, 2025.

Sd/-
HARIKUMAR K.N
ADDL. DISTRICT AND SESSIONS JUDGE.

Appendix : Nil

Id/-
ADDL. DISTRICT AND SESSIONS JUDGE.

CMP 420/25 in CrI.A.500/2025
Order
Dated: 03.09.2025.