

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THRISSUR

Present:

Sri. Sasi Kumar. P.S. Principal Sessions Judge
Saturday, 23rd day of May, 2026/ 2nd Jaishtam 1948 SE

Crl. M.P.6505/2025 in Crl.A.285/2025

(ST.115/2017 of Judicial First Class Magistrate Court No-V, Thrissur)

Appellant/Petitioner:-

Geetha P.B., Aged 54 years, W/o Vikraman,
Puthumadam House, Mudikkode, Koottala P.O.,
Thrissur Taluk and District-680 652.

By Adv. Saji Joseph

Respondents:-

- 1 Krishnasopanam Kuries (Pvt) Limited,
Ananattukara, Thrissur.
- 2 State of Kerala rep. by Public Prosecutor, Thrissur.

This petition is coming on this day for hearing, the Court passed the following:-

ORDER

Heard the counsel for the petitioner/appellant. Perused the memorandum of appeal and documents appended therewith. It appears that the petitioner/appellant is having an arguable case and hence, this appeal is admitted. Therefore impugned sentence including order to pay fine/compensation is suspended on appellant executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties each for

the like amount to the satisfaction of the trial court within a period of one month from the date of this order.

Further, the appellant is directed to deposit 20% of the amount of fine/compensation imposed by the impugned judgment before the trial court within a period of 60 days from today under section 148(1) of the Negotiable Instruments Act, 1881.

Non compliance of the condition shall have the effect of vacating the suspension of sentence by virtue of the dictum rendered by the Hon'ble Apex Court in **Surinder Singh Deswal v. Virender Gandhi reported in 2020 (1) KLT 417 (SC)**. The Hon'ble Apex Court has further held that irrespective of the provisions of Section 357(2) of the Cr.P.C., pending appeal before the first appellant court, challenging the order of conviction and sentence under Section 138 of the Negotiable Instruments Act, 1881 the appellate court is conferred with the power to direct the appellant to deposit such sum pending appeal which shall be a minimum of 20% of the fine or compensation awarded by the trial Court.

(Dictated to the Personal Assistant, typewritten by her, corrected and pronounced by me in open court on this the 23rd day of May, 2026.)

Sd/-

SASI KUMAR.P.S.,

PRINCIPAL SESSIONS JUDGE.

By Order,

Sheristadar (I/C)

/true copy/

Copy to: JFCM No-V, Thrissur