

**IN THE COURT OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,
COIMBATORE.**

**Present: THIRU.G.SUNDARARAJAN, B.Sc., B.L.,
I ADDITIONAL DISTRICT & SESSIONS JUDGE,
PRINCIPAL DISTRICT & SESSIONS JUDGE, COIMBATORE (I/C)**

Friday, this the 10th day of July, 2026

**CRIMINAL MISCELLANEOUS PETITION No.2304/2026
(C.A.No.340/2026)**

C.A.No.340/2026

C.C. No.209/2022

(The Judicial Magistrate Fast track Court @ Magistrate Level-I, Coimbatore.)

Offences: u/s.138 of NI Act

(SI for a period of 6 Months and to pay compensation of Rs.4,50,000/- in default the petitioner shall undergo SI for a period of 2 months)

S. Santhi (Age 55),
W/o. Rajan.

... Appellant/ Accused

/vs/

1 R. Vellingiri (Age 58)
S/o. Ramasamy.

... Respondent

This petition is filed by the petitioner / appellant, u/s.430(3) of BNSS, praying to suspend the sentence till the disposal of appeal.

This petition is coming on this day for final hearing before this Court in the presence of **Thiru. V. Thangapandian**, Advocate for the petitioner / appellant and upon perusing the petition submitted and upon hearing arguments, this Court pronounced the following:-

ORDER

Heard.

The petitioner seeks suspension of sentence pending disposal of appeal.

2. The learned counsel for the petitioner has submitted that the petitioner preferred appeal against the conviction judgment passed against her in CC No.209/2022 dated 04-06-2026. The petitioner is having valid defence in succeeding in the appeal and prays to suspend the sentence till the disposal of the appeal.

3. On perusal, it reveals that, the petitioner was convicted for the offence punishable u/s 138 of NI Act in CC No.209/2022 on the file of learned Judicial Magistrate, Fast Track Court @ Magisterial Level-I, Coimbatore. Aggrieved by the same, the petitioner/appellant preferred the accompanying appeal. The learned counsel for the petitioner has submitted that though the petitioner is having valid defense in succeeding the appeal, however she is ready to deposit 20% of the compensation amount. After considering the nature of the case and following the dictum laid down by the Hon'ble High Court of Madras in **CrI.O.P.No.947/2024 [C.R.Balasubramanian Vs P.Easwaramoorthi]**, dated 22-01-2024, having regard to the facts and circumstances of the case, this Court is inclined to allow this petition and the substantive sentence of imprisonment imposed on the petitioner by the learned Trial Court alone is hereby suspended till disposal of the appeal subject to the following conditions:-

(i) The petitioner is ordered to be enlarged on bail on her executing a bond for Rs.10,000/- with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate, Fast Track Court @ Magisterial Level-I, Coimbatore within **15 days** from the date of this order.

(ii) **The petitioner shall deposit a sum of Rs.90,000/- towards the part of compensation amount before the learned Trial Court on or before 10-08-2026.**

(iii) Final Order in respect of the deposit amount will be passed by the Appellate Court at the time of disposal of the appeal.

(iv) The petitioner shall report before the trial Court on the 1st working day of every English calendar month at 10.30 a.m. without fail, until further orders.

The appeal is made over to the I Additional District & Sessions Court, Coimbatore. The appeal stands posted to 27-08-2026.

On the failure of the petitioner, to comply with any of the above said conditions, the suspension granted to her shall stand cancelled automatically and the Magistrate concerned shall take necessary steps to secure the petitioner / accused.

This order is dictated to steno-typist, typed by her, corrected and pronounced by me on this 10th day of July, 2026.

I ADDITIONAL DISTRICT & SESSIONS JUDGE,
PRINCIPAL DISTRICT & SESSIONS JUDGE (I/C)
COIMBATORE.

CC to (sent via email):

1. The I Additional District & Sessions Court, Coimbatore.
2. The Judicial Magistrate Fast track Court @ Magistrate Level-I, Coimbatore.
3. The Public Prosecutor, Coimbatore.
4. The Petitioner / Appellant through her counsel.



This document was created with the Win2PDF "Print to PDF" printer available at

<https://www.win2pdf.com>

This version of Win2PDF 11 is for evaluation and non-commercial use only.

Visit <https://www.win2pdf.com/trial/> for a 30 day trial license.

This page will not be added after purchasing Win2PDF.

Win2PDF Overview: <https://www.win2pdf.com/video/overview/>

Purchase Win2PDF: <https://www.win2pdf.com/purchase/>