



**IN THE III ADDITIONAL DISTRICT AND SESSIONS COURT,
CHENNAI**

**Present: Thiru.P.Srikumar, B.Sc., M.L., M.B.L.,
VII Additional Sessions Judge
(FAC) III Additional Court**

Monday, the 8th day of June, 2026

CrI.M.P. No. 1/2026

in

C.A.No.649/2026

in

S.T.C.No.1525/2024

(on the file of the XXXVIII Metropolitan Magistrate, (Fast Track Court -V),
Saidapet, Chennai-15)

J.Elavarasi,
W/o.Late.James.

... Petitioner/Appellant/ Accused

-Vs -

G.Narayanan,
S/o.V.Ganapathy.

...Respondent/Respondent/Complainant

This petition coming on today for hearing before this Court in the presence of
M/s.K.Rajendra Kumar, Learned counsel for the Appellant/ Accused and upon
hearing them, this Court delivered the following:

ORDER

1. The petitioner seeks suspension of sentence pending disposal of the appeal.



2. The Petitioner/Appellant herein filed the Criminal Appeal in Crl.A.No.649 of 2026 as against the judgment in S.T.C.No.1525/2024 dated 09.04.2026 by the learned XXXVIII Metropolitan Magistrate, (Fast Track Court -V), Saidapet, Chennai-15

3. The Petitioner/Appellant was found guilty for the alleged offence u/s 138 of NI Act r/w Section 255(2) of Cr.P.C., and the trial court has sentenced the accused to undergo simple imprisonment for a period of 4 months and directed to pay a sum of Rs.3,50,000/- along with 3% per annum as compensation to the complainant within 1 month from the date of judgment and in default, to undergo simple imprisonment for two months.

4. The learned counsel for the petitioner/appellant argued that the appellants is not guilty of offence under section 138 of NI Act. This complaint is based on the dishonoured cheque given by the appellant/accused to the respondent. He further argued that the appellant have fair chance to succeed in the above appeal. The trial court has suspended the sentence till 08.05.2026. Hence prayed for suspension of sentence.



5. Taking into consideration the memorandum of appeal and the submission made by the petitioner's counsel, as there are arguable points in the case, this court is inclined to suspend the sentence of imprisonment imposed by the trial court, on the following conditions:

(1) That the Appellant/Accused shall execute a bond for Rs.10,000/- with two sureties each for the same likesum to the satisfaction of the Learned XXXVIII Metropolitan Magistrate, (Fast Track Court -V), Saidapet, Chennai-15 on or before 22.06.2026.

(2) That the Appellant/Accused shall deposit 10% of the compensation amount into the credit of S.T.C.No.1525/2024 before the trial court within a period of 60 days from the date of this order.

Directly dictated by me to the Steno-Typist, computerized by him, corrected and pronounced by me in the open Court on this the 8th day of June, 2026.

VII Additional Sessions Judge,
(FAC)III Additional Court.

Copy to:

The learned XXXVIII Metropolitan Magistrate, (Fast Track Court -V), Saidapet, Chennai-15