

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, CHENNAI

Present : Thiru.S.Karthikeyan, M.A., M.L., M.Sc., PGDCFS.,

Principal Sessions Judge.

Thursday, the 28th day of August, 2025

Crl.M.P.No.1/2025

in

C.A.No.1015/2025

against

C.C.No.1603/2019

(on the file of the Metropolitan Magistrate FTC-V, Saidapet, Chennai)

P.Sriramulu,

.... Petitioner/Appellant/Accused

Vs.

M.V.Gemburaj,

.... Respondent/Respondent/Complainant

This petition is coming on this day before this court for hearing in the presence of M/s.R.Sankarakutralingam, V.Premkumar, M.Amalraj, the counsel for the petitioner, upon hearing the counsel for the petitioner, this Court delivered the following,

ORDER

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

2. The Petitioner/Appellant herein is the accused in C.C.No.1603/2019 on the file of the Metropolitan Magistrate, FTC-V, Saidapet, Chennai. On 21.07.2025, judgment was pronounced in the above case and the petitioner/accused found guilty u/s.138 of N.I. Act and sentenced to undergo simple imprisonment for 5 months to the accused and imposed compensation of Rs.5,00,000/- along with 3% per annum for the said cheque amount from the date of dishonour of case cheque to till date to the accused for the offence u/s.138 of N.I.Act and directed the accused to pay the said compensation amount to the complainant within one month from this date and in default of payment of said compensation then the accused shall undergo one month simple imprisonment.

3. Learned counsel for the petitioner would submit that the cheque of the petitioner/appellant was misused by one Mr. Shanmugam and handed over the same to the respondent herein. The petitioner/appellant further submitted that the signatures found in the subjects cheque are not of the petitioner/appellant. However, the trial

court has not considered the same and passed judgment convicted the petitioner/appellant. The petitioner/appellant has submitted the copies of cheques before this court by way of typed set. On perusal of the same, prima facie case in favour of the petitioner/appellant. The trial court has suspended the sentence. The appellant has made out arguable case. Hence, this court is inclined to suspend the sentence imposed by the trial court pending appeal.

5. Accordingly, the substantial sentence of imprisonment imposed on the petitioner by the trial Court alone is hereby suspended till the disposal of the appeal and the petitioner is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- with two sureties each for a likesum to the satisfaction of the learned Metropolitan Magistrate FTC-V, Saidapet, Chennai, on or before 04.09.2025.

Dictated to Steno-typist, typed by her directly, corrected and pronounced by me in open court this the 28th day of August, 2025.

Principal Sessions Judge

Copy to
Metropolitan Magistrate FTC-V, Saidapet, Chennai

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