

**IN THE COURT OF II ADDITIONAL DISTRICT AND SESSIONS JUDGE,
TIRUVALLUR AT POONAMALLEE.**

**Present: Tmt. G. Bhuvaneswari, B.L
II Additional District and Sessions Judge
Tiruvallur at Poonamallee.**

**On this Friday, the 5th day of June 2026
Crl. M.P. No.14/2026 in Crl.MP. 1/ 2025**

**in
Criminal Appeal No.134/2025**

Tmt. Sunitha, aged 37 years,
W/o. Ranjith Kumar,
Appasamy Platina,
No.2031, 2nd Block,
Porur, Chennai – 600 116.

... Appellant /Accused

/Versus/

Nareshkumar,
S/o. Sekar,
No.59, Bajanaikoil Street,
Melmanagar, Poonamallee,
Chennai – 600 056.

..Respondent/Complainant

This Bail Petition came up before this court for final hearing before me on 05.06.2026, M/s. R. Thirumoorthy, S. Arunkumar, S. Sivasekar, M. Kishore, J. Ganesh, R.Joshua, L. Prathap, and K. Sundarraaj appeared for the learned counsel for the Appellant /Accused and M/s. V. Stalin, G. Jeyakumar and J. Tamilmaran appeared for the learned counsel for the Respondent/

Complainant and upon hearing the arguments of both sides and upon perusing the records and material papers, this court delivered the following :

O R D E R

The counsel for the Appellant /Accused filed a bail application u/s.528 of BNSS to enlarge the Appellant /Accused on bail.

2. The learned counsel for the Appellant /Accused submitted that the Appellant /Accused was convicted by the Judicial Magistrate, Fast Track Court, Poonamallee, in S.T.C. No.829 of 2023 for an offence under Section 138 of the Negotiable Instruments Act and was sentenced on 13.02.2025 to one year simple imprisonment and directed to pay compensation of Rs.15,00,000/- under Section 357(3) Cr.P.C., failing which she would undergo one week simple imprisonment. Challenging the conviction and sentence, she filed Criminal Appeal No.134 of 2025 and obtained suspension of sentence on 31.07.2025 subject to depositing 10% of the compensation amount within sixty days. Due to serious health issues, including the risk of cardiac arrest, substantial medical expenses, financial hardship, loss of income, and the responsibility of caring for her bedridden mother who suffered a paralytic attack, she could not comply with the condition despite efforts to arrange funds. Consequently, a warrant was executed against her. She was arrested on 27.04.2026 in another criminal case and, while in

judicial custody, was formally arrested on 21.05.2026 in the present case for non-compliance with the conditional suspension order. The petitioner contends that the default was neither wilful nor deliberate but arose from unavoidable medical, financial, and personal circumstances. She has also filed Crl.O.P. No.263 of 2026 before the High Court seeking relaxation of the deposit condition, which is pending. Expressing willingness to deposit 10% of the cheque amount, she seeks suspension of sentence and release on bail pending disposal of the appeal, asserting that the appeal raises substantial and arguable grounds with a reasonable prospect of success.

3. On the other hand, the Respondent/Complainant has endorsed no objection to granting bail to the Appellant / Accused.

4. Now, the point for consideration is that whether the Appellant / Accused can be released on bail or not ?

5. **POINT :**

Heard both sides. Records are carefully perused.

6. Upon considering the submissions of both sides, it is seen that the Appellant / Accused was arrested by the Police on 21.05.2026 and remanded to judicial custody for failure to deposit 10% of the compensation amount before the Trial Court.

7. According to the Respondent/Complainant has endorsed no objection to granting bail to the Appellant / Accused. Further, the Appellant/Accused has deposited 10% of the compensation amount before the Trial Court on 05.06.2026.

8. Considering the facts and circumstances of the case and the period of custody of the Appellant / Accused is more than 10 days, this court is inclined to grant bail to the petitioner's plea with certain conditions.

a) The Appellant shall execute a bond for Rs.10,000/-(Rupees Ten Thousand only) with one surety for a like sum to the satisfaction of the trial court.

b) The appellant shall not leave the jurisdiction of the court without prior permission and shall cooperate with the proceedings of the appeal.

In the result, this bail petition is allowed.

Delivered by me today in the open Court.

Dictated by me to the Steno-typist, typed by her in the Computer, corrected and pronounced by me in the Open court on the 5th day of June 2026.

**II Additional District and Sessions Judge,
Tiruvallur at Poonamallee.**

Order

Crl.MP No.14/2026

in Crl.MP 1/2025 in

C.A No.134/2025

Date : 05.06.2026.

II A.D.S.C., Poonamallee.