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V.Govardhini Vs Shoe Solutionz

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Court : Chennai

Decided On : Apr-30-2026

Judge : Honourable Mr Justice G.K. Ilanthiraiyan

Appeal No. : CRL MP/8009/2026

Appellant : V.Govardhini

Respondent : Shoe Solutionz

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-04-2026

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN in CRL RC No. 1007 of 2026 V.Govardhini Petitioner(s) Vs M/s.Shoe Solutionz Rep. by its Proprietor, M.Khaja Mohideen, No.J-7, Trimb Apartment, No.114, Inner Ring Road, Arumbakkam, Chennai. Respondent(s)

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) of BNSS Act, 2023, to suspend the sentence dated 18.04.2026 passed in Criminal Appeal No.456 of 2024 by the Honble XXI Additional City Civil Court, Allikulam, Chennai,

confirming the order dated 11.06.2024 passed in STC.No.5587 of 2022 by the Honble XX Metropolitan Magistrate, Egmore @ Allikulam, and to set aside the same and acquit the petitioner/accused from all charges. For Petitioner(s): Mr.S.John Josh

ORDER

The petitioner has preferred the above revision, challenging the judgment

dated 18.04.2026 passed by XXI Additional City Civil Court, Allikulam, Chennai in Crl.A.No.456 of 2024 confirming the judgement passed by XX Metropolitan Magistrate, Egmore @ Allikulam in STC.No.5587 of 2022, convicting the petitioner/accused for offence under Section 138 of Negotiable Instruments Act, and sentenced to undergo simple imprisonment for a period of 6 months and to pay the cheque amount of Rs.1,15,000/- as compensation to the complainant, in default, to undergo simple imprisonment for two months. The instant petition has been filed to suspend the sentence imposed on the petitioner.

2. It is the case of the respondent that the petitioner had issued a cheque

for a sum of Rs.1,15,000/- towards discharge of liability; that when the said cheque was presented for collection, it was returned for the reason Alterations require drawers authentication; that in spite of the statutory notice, the petitioner did not make the payment; and hence liable for the said offence.

3. The learned counsel for the petitioner would submit that the petitioner

has raised substantial grounds in the above revision; that the petitioner has rebutted the statutory presumption; that the judgment of the Courts below are liable to be set aside; and that, to show his bona fides, the petitioner is willing to deposit the entire cheque amount i.e., Rs.1,15,000/- (Rupees One Lakh Fifteen Thousand only).

4. Heard the learned counsel for the petitioner and perused the materials available on record.

5. Having regard to the submission made by the learned counsel for the

petitioner that there are substantial grounds raised in the above revision which require consideration, and the fact that the petitioner is willing to deposit the the entire cheque amount i.e., Rs.1,15,000/- (Rupees One Lakh Fifteen Thousand only), this Court is inclined to suspend the sentence imposed on the petitioner, subject to the following conditions:

(i) The petitioner/Accused shall deposit the entire cheque

amount i.e., Rs.1,15,000/- (Rupees One Lakh Fifteen Thousand only), to the credit of STC.No.5587 of 2022 on the file of XX Metropolitan Magistrate, Egmore @ Allikulam, on or before 08.06.2026. Failing which, the order passed by this Court shall stand automatically cancelled.

(ii) On such deposit being made, the Trial Court shall

redeposit the said amount in a Fixed Deposit Account, in any one of the Nationalized Banks, renewable thereafter periodically. The disbursal of this amount shall be decided at the culmination of the Criminal Revision Case;

(iii) Thereafter, the sentence of imprisonment alone imposed

on the petitioner/Accused shall be suspended, on his executing a bond for a sum of Rs.25,000/- with two sureties each for a likesum to the satisfaction of the trial Court;

(iv) The petitioner and the sureties shall affix their

photographs and Left Thumb Impression in the surety bond and the Trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;

(v) The petitioner shall appear before the Trial Court on the

first working day of every month at 10.30 a.m., until the disposal of the revision and if he is not able to appear before the Trial Court on any day,

he shall make arrangements to file an application under Section 355 of BNSS, 2023, and shall appear before the Trial Court on any other day in lieu of the date of his absence, as directed by the Trial Court; and

(vi) On the failure of the petitioner/Accused, depositing the said amount, it is open to the Trial Court to commit the petitioner/accused into custody for undergoing the sentence.

6. With the above directions, this Criminal Miscellaneous Petition is ordered. 30-04-2026 Jd Neutral Citation:Yes/No To

1. XXI Additional City Civil Court, Allikulam, Chennai.

2. XX Metropolitan Magistrate, Egmore @ Allikulam.

3. The Public Prosecutor, Madras High Court, Chennai. G.K.ILANTHIRAIYAN J. jd in CRL RC No. 1007 of 2026 30-04-2026

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