

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 16519 of 2026

Arunachalam
S/o.Karuppan,
B-5, Plot No.1,
Akshiya Trisha Home,
Kamakodi nagar, 1st street,
Narayanapuram, Pallikaranai,
Kancheepuram.

..Petitioner(s)

Vs

Muthumanickam
S/o.Kumar,
Vijay Shanthi Apartment,
No.44, Kalakshetra road,
Thiruvanmiyur,
Chennai-600041.

..Respondent(s)

PRAYER: This criminal original petition filed under Section 528 of BNSS, 2023 to modify the condition passed by the learned XX Additional Sessions Court at Allikulam, Chennai in M.P.No.2/2026 in Crl.A.No.388/2026 dated 27.04.2026 in para no.7 and pass such other orders as this Honble court.

For Petitioner(s): Mr.E.Kannadasan

For Respondent(s): Mr.E.Viswanathan



ORDER

WEB COPY

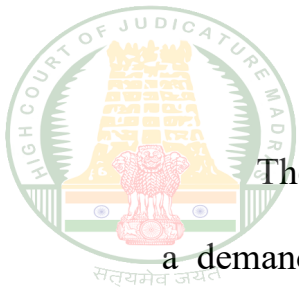
The petition is filed to modify the condition passed by the learned XX Additional Sessions Court at Allikulam, Chennai in MP No.2 of 2026 in Crl.A.No.388 of 2026 by order dated 27.04.2026.

2.The learned counsel for the petitioner would submit that the petitioner is the accused in the above case, which is for an offence under Section 138 of the Negotiable Instruments Act. Pointing out the total amount of the cheque, the learned counsel pleads hardship and submits that it is extremely hard on the petitioner to deposit the entire 20% of the amount as directed by the trial court.

3.Per Contra, the learned counsel appearing on behalf of the respondent/complainant would submit that the petitioner is well to do and is in a position to deposit the 20% of the cheque amount.

3.Considering the hardship that is pleaded, the criminal original petition is allowed on the following terms;

(i). The condition imposed by the lower appellate court, namely learned XX Additional Sessions Court, Allikulam, Chennai, by order 27.04.2026 in MP No.2 of 2026 in Crl.A.No.388 of 2026 is modified inasmuch as it directs in paragraph No.7 to deposit 20% of the compensation amount follows:



The petitioner shall directly pay to the respondent/complainant by way of a demand draft 10% of the compensation amount within a period of three weeks from the date of receipt of the web copy of the order.

(ii).It is made clear that no extension of time will be granted.

(iii). The XX Additional Sessions Court, Allikulam, is also requested to expedite the appeal and dispose of the same, in any event not later than four months from the date of receipt of the web copy of the order.

14-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
sms

To

The learned XX Additional Sessions Court,
Allikulam, Chennai



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D.BHARATHA CHAKRAVARTHY, J.

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