



Crl.O.P.No.13500 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19.01.2024

Coram:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.13500 of 2023

and

Crl.M.P.No.8187 of 2023

1.K.Govindaraj
2.K.Sasikala

.. Petitioners

/versus/

S.Madhu

.. Respondent

Prayer: Criminal Original Petition has been filed under Section 482 of Cr.P.C., praying to set aside order dated 28.02.2023 passed in Crl.M.P.No.10868 of 2022 in S.T.C.No.6 of 2022 pending on the file of Judicial Magistrate-1, Tirupattur.

For Petitioners : Mr.D.Bennington

ORDER

This Criminal Original Petition has been filed challenging the order passed by the Court below in Crl.M.P.No.10868 of 2022 in S.T.C.No.6 of 2022, dated 28.02.2023, directing the petitioners to deposit a sum of



Rs.3,00,000/- (15% of the cheque amount) under Section 143-A of Negotiable Instruments Act, 1881, within 60 days from the date of that order.

2. Heard the learned counsel appearing for the petitioners and carefully considered the materials available on record.

3. The petitioners are facing trial before the Court below for offence under Section 138 of the Negotiable Instruments Act, 1881. The respondent filed an application under Section 143-A of the Negotiable Instruments Act, 1881 claiming for interim compensation of 20% of the cheque amount. This application was resisted by the petitioners.

4. The Court below, on considering the facts and circumstances of the case and also considering the stand taken by the petitioners in his reply notice dated 27.12.2021, directed the petitioners to deposit a sum of Rs.3,00,000/- as interim compensation. This order has put to challenge in this petition.



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5. In the considered view of this Court, the order passed by the Court below is supported by sufficient reasons. The Court below has assigned a specific reason as to why the petitioners have to deposit a sum of Rs.3,00,000/- as interim compensation by relying upon the stand taken by the petitioners in their reply notice dated 27.12.2021. The order passed by the Court below does not require the interference of this Court.

6. In the light of the above discussion, the Criminal Original Petition is disposed of and there shall be a direction to the petitioners to deposit a sum of Rs.3,00,000/- before the Court below, within a period of four weeks from today. Consequently, connected Miscellaneous Petition is closed.

19.01.2024

Index:yes/no
Neutral Citation:yes/no
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To:
The Judicial Magistrate-1, Tirupattur.



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N.ANAND VENKATESH, J.
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