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CrI.O.P.No.29633 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2024

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.29633 of 2024

1. A.Subramaniam
2. S.Meena

... Petitioners

Vs.

S.Balakrishnan

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to set aside the order passed in CrI.M.P.No.26703 of 2024 in C.A.No.710 of 2024 passed by the learned Principal District and Sessions Judge, Chennai dated 23.09.2024.

For Petitioner : Mr.P.N.Vignesh

ORDER

Challenging the order dated 23.09.2024 in CrI.M.P.No.26703 of 2024 in C.A.No.710 of 2024 passed by the learned Principal District and Sessions Judge, Chennai, the present petition has been filed.



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2. The petitioners herein found guilty by the learned Special Metropolitan Magistrate, XIV Court of Small Causes, Chennai in S.T.C.No.851 of 2021, for an offence under Section 138 of Negotiable Instruments Act and sentenced him to undergo six months simple imprisonment and to pay the cheque amount of Rs.20,00,000/- (Rupees Twenty Lakhs) as compensation to the complainant within a period two months, in default, to undergo further period of two months simple imprisonment. Aggrieved by the same, they have preferred an appeal before the Principal Sessions Judge, Chennai in Crl.A.No.710 of 2024. Along with the appeal, they have preferred an application seeking suspension of sentence in Crl.M.P.No.26703 of 2024. The lower appellate Court vide order dated 23.09.2024, by invoking Section 148 of Negotiable Instruments Act (Amendment Act) 2018, suspended the sentence on condition that the petitioners shall deposit 20% of the compensation amount within 60 days from the date of order.

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



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26.11.2024

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

The Principal District and Sessions Judge,
Chennai.



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P.VELMURUGAN, J

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