



CrI.O.P.No.3943 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.3943 of 2025

D.Venkatesh Deepak

... Petitioner

Vs

S.N.Rajarajan

... Respondent

Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order passed by the learned Principal District and Sessions Judge, Chennai in CrI.M.P.No.1 of 2025 in CrI.A.No.93 of 2025.

For Petitioner : Mr.N.Chandran

ORDER

This petition has been filed to set aside the order passed by the learned Principal District and Sessions Judge, Chennai, in CrI.M.P.No.1 of 2025 in C.A.No.93 of 2025, thereby imposing the condition while suspending the sentence.



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

3. The respondent is an accused in the complaint lodged by the petitioner for the offence punishable under Section 138 of the Negotiable Instruments Act (hereinafter referred to as 'the NI Act' for short). After a full-fledged trial, the Trial Court convicted the respondent for the offence punishable under Section 138 of the NI Act and sentenced him to undergo six months simple imprisonment and to pay a sum of Rs.6,56,000/- as compensation. Aggrieved by the same, the respondent filed an appeal in C.A.No.93 of 2025 along with a petition, Crl.M.P.No.1 of 2025, to suspend the sentence.

4. On a perusal of the records, it reveals that, while suspending the sentence, the Appellate Court imposed the condition that the respondent shall deposit 20% of the total compensation amount. Therefore, this Court finds no infirmity or illegality in the order passed by the Appellate Court.

5. In the result, this Criminal Original Petition is dismissed.



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However, the Appellate Court shall ensure that the respondent complies with the condition within the stipulated time fixed by the Appellate Court, failing which the Appellate Court is directed to proceed with the appeal and take appropriate action as against the accused in the manner known to law.

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Index: Yes/No
Neutral Citation: Yes/No
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To

The Principal District and Sessions Judge, Chennai



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G.K.ILANTHIRAIYAN, J.

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