



Crl.O.P.No.6226 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.6226 of 2024

K.P.Priyadarsini

... Petitioner

Vs

B.Gayathri

... Respondent

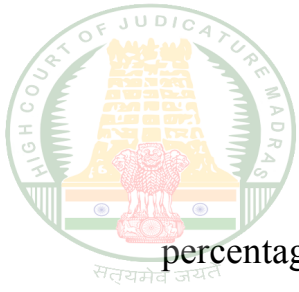
PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023/ Section 482 of Cr.P.C, to call for the entire records in Crl.MP.1172 of 2024 in Crl.A.No.30 of 2024 on the file of the learned Principal Sessions Judge, Chennai now made over to the IV Additional Sessions Judge, Chennai and set aside the part of the order to an extent of directing the petitioner to deposit 20 percentage of the compensation amount to the credit of STC. number on the file of the trial court within 60 days from the date of order by its order dated 10.01.2024.

For Petitioner : No appearance

For Respondent : Mr.C.Vigneswaran

ORDER

This Criminal Original Petition has been filed challenging the order passed in Crl.MP.1172 of 2024 in Crl.A.No.30 of 2024 on the file of the learned Principal Sessions Judge, Chennai now made over to the IV Additional Sessions Judge, Chennai, thereby directing the petitioner to deposit 20



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percentage of the compensation amount to the credit of STC. number on the file of the trial court within 60 days from the date of order by its order dated 10.01.2024.

2. There is no representation on behalf of the petitioner. Heard the learned counsel for the respondent and perused the materials placed on record.

3. The petitioner is the accused in the complaint lodged by the respondent for the offence punishable under Section 138 of Negotiable Instruments Act in STC.No.2580 of 2022 on the file of the Metropolitan Magistrate FTC III, Saidapet, Chennai. After fulfilled trial, the petitioner was convicted for the offence punishable under Section 138 of Negotiable Instruments Act and sentenced to undergo six months simple imprisonment and also compensation to the tune of cheque amount. Aggrieved by the same, the petitioner preferred an appeal along with a petition for suspension of sentence before the appellate Court in Crl.M.P.No.1172 of 2024. The appellate Court, by an order dated 10.01.2024 suspended the sentence, on condition that the petitioner shall deposit 20% of the compensation amount to the credit of STC before the Trial Court.



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4. Admittedly, the petitioner failed to make out a case for exceptional circumstances to challenge the condition to deposit 20% of the compensation amount. Therefore, this Court finds no infirmity or illegality in the order passed in Crl.MP.1172 of 2024 in Crl.A.No.30 of 2024 on the file of the learned Principal Sessions Judge, Chennai.

5. The appellate court is directed to proceed further as against the appellant in accordance with law, for non compliance of the order passed by the appellate Court.

6. Accordingly, this Criminal Original Petition stands dismissed.

07.04.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
mn



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G.K.ILANTHIRAIYAN. J.

mn

To

1. The Principal Sessions Judge, Chennai.
2. The IV Additional Sessions Judge, Chennai.

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07.04.2025