



Crl. O.P. No. 7081 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl. O.P. No. 7081 of 2025

and

Crl. M.P. No. 4506 of 2025

Mohamed Yonus

... Petitioner

Vs.

Origin ITFS Private Limited,
Rep., by its Vice President, R. Karthikeyan,
No.2/1, Dr. VSI Estate,
Thiruvanniyur, Chennai – 600 041.

.. Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order dated 12.02.2025 in Crl.M.P.No.2511 of 2024 in C.A.No.76 of 2024, passed by the Additional District & Sessions Judge, Chengalpattu.

For Petitioner : Mr. R. Amardeep

ORDER

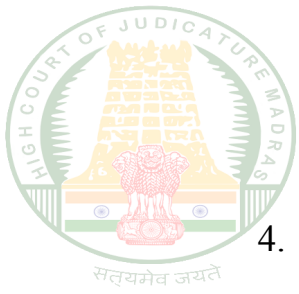
This Criminal Original Petition is filed challenging the order dated 12.02.2025 passed by the Additional District & Sessions Judge, Chengalpattu in Crl. M.P. No. 2511 of 2024 in C.A. No. 76 of 2024.



Crl. O.P. No. 7081 of 2025

WEB COPY 2. The petitioner is an accused in the complaint lodged by the respondent for the offence punishable under Section 138 of Negotiable Instruments Act in C.C. No. 37 of 2022.

3. After full fledged trial, the trial Court convicted the petitioner for the offence punishable under Section 138 of Negotiable Instruments Act and sentenced him to undergo six months simple imprisonment and also awarded compensation to the tune of cheque amount. Aggrieved by the same, the petitioner preferred an appeal along with suspension of sentence in Crl. M.P. No. 2511 of 2024 in C.A. No. 76 of 2024. The appellate Court, by an order dated 09.09.2024 suspended the sentence imposed by the trial Court on the petitioner, on condition that the petitioner shall deposit 20% of the compensation amount awarded by the trial Court within a period of 30 days. Subsequently, the petitioner filed application in Crl. M.P. No.3011 of 2024 for extension of time to comply the conditional order. Though it was ordered, the petitioner could not able to comply the condition. Therefore, the order passed in Crl. M.P. No. 2511 of 2024 was dismissed and posted the matter for arguments.



Crl. O.P. No. 7081 of 2025

4. Now, the learned counsel for the petitioner would submit that the petitioner is ready to comply the conditional order passed by the appellate Court.

5. In view of the above, considering the above submissions, the petitioner is directed to comply the order passed by the appellate Court in Crl. M.P. No. 2511 of 2024 in C.A. No. 76 of 2024 on or before 21.03.2025.

6. In the result, the Criminal Original Petition is allowed by setting aside the order dated 12.02.2025 in Crl. M.P. No. 2511 of 2024 in C.A. No. 76 of 2024 passed by the Additional District and Sessions Judge, Chengalpattu, on condition that the petitioner shall comply the order passed by the appellate Court in Crl. M.P.No. 2511 of 2024 in C.A. No. 76 of 2024 on or before 21.03.2025, failing which, this order shall stands automatically cancelled without any further adjudication and the appellate Court is directed to proceed as against the petitioner, in accordance with law. Consequently, connected miscellaneous petition is closed.

12.03.2025

Index : Yes/No

Neutral citation : Yes/No

AT

Note: Issue order copy on 13.03.2025



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Crl. O.P. No. 7081 of 2025

G.K.ILANTHIRAIYAN, J.

AT

To
The Additional District & Sessions Judge, Chengalpattu.

Crl. O.P. No. 7081 of 2025

12.03.2025