



Crl.O.P.No.10835 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2025

CORAM:

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

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S.Sumathy

... Petitioner

Vs

S.Devi

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023/ Section 482 of Cr.P.C, to set aside the modify the condition imposed in Crl.M.P.No.1 of 2025 in Crl.A.No.392 of 2025 dated 20.03.2025 on the file of Principal Sessions Judge, Chennai to the extent of directing the petitioner to deposit 10 percentage of the compensation amount before the Trial Court at the credit of STC.No.675 of 2022 within four weeks from the date of the said order.

For Petitioner : Mr.S.Baskaran

ORDER

This Criminal Original Petition has been filed to set aside and modify the condition imposed in Crl.M.P.No.1 of 2025 in Crl.A.No.392 of 2025 dated 20.03.2025 on the file of Principal Sessions Judge, Chennai to the extent of directing the petitioner to deposit 10 percentage of the compensation amount



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before the Trial Court at the credit of STC.No.675 of 2022 within four weeks from the date of the said order.

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

3. The petitioner is an accused in the complaint lodged by the respondent for the offence punishable under Section 138 of Negotiable Instruments Act. After fulfilled trial, the Trial Court had convicted the petitioner for the offence punishable under Section 138 of Negotiable Instruments Act and sentenced her to undergo simple imprisonment for a period of twelve months and also awarded compensation to the tune of Rs.9,45,000/-. Aggrieved by the same, the petitioner preferred an appeal before the Appellate Court along with a petition for suspension of sentence and the Appellate Court, while suspending the sentence, imposed a condition to deposit 10% of the compensation amount within a period of four weeks from the date of the order. However, the petition is unable to comply with the said condition.



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4. According to the petitioner, the cheque given by the petitioner is only for security purpose and not for a legally enforceable debt.

5. In view of the above, this Court finds no grounds to modify the condition imposed in Crl.M.P.No.1 of 2025 in Crl.A.No.392 of 2025 dated 20.03.2025 on the file of Principal Sessions Judge, Chennai.

6. Accordingly, this Criminal Original Petition stands dismissed.

09.04.2025

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



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G.K.ILANTHIRAIYAN. J.

mn

To

The Principal Sessions Judge, Chennai.

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