



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-09-2025

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CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 24394 of 2025

Mr. R.J.Surendranath
S/o. late. R.K.Jagannath,
HNS Hotels Private Ltd, No.93/24,
Peters Road, 1st Floor, Royapettah,
Chennai - 600014.

Petitioner(s)

Vs

Dr. M.Babu Manohar
No.76, Mahalingapuram main Road,
Nungambakkam, Chennai - 600034.
and Represented by Power Agent,
Mr. V.Suresh Kumar,

Respondent(s)

PRAYER

This Criminal Original Petition has been filed under Section 528 of BNSS to set aside the order passed by the XIX Additional Sessions Judge/ Vacation Sessions Judge at Chennai in Crl.M.P.No.1/2025 in C.A.No.619/2025 dated 08.05.2025.

For Petitioner(s): Mr. S. Thiruvengadam



ORDER

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This Criminal Original Petition has been filed seeking to modify the order passed by the appellate court directing to deposit 20% of the compensation amount while suspending the sentence.

2. The appellate court, while suspending the sentence passed by the Trial court in STC. No. 619 of 2024 for the offence punishable under Sections 138 of Negotiable Instruments Act, imposed a condition on the petitioner to deposit 20% of the compensation amount.

3. The learned counsel for the petitioner would submit that, the dispute arose out of the chit transactions, and that the complainant claims to have paid the amounts in cash, for which, there is no proof for the same.

4. It is further contended that the direction to deposit 20% of the compensation amount is unsustainable and the petitioner has a fair chance to



succeed in the appeal. The petitioner expresses readiness and willingness to deposit 10% of the compensation amount.

5. Considering the submission and the fact that the petitioner is ready to deposit 10% of the compensation amount, this Court is inclined to modify the impugned order.

6. Accordingly, the petitioner is directed to deposit 10% of the compensation amount to the credit of STC No.214 of 2024 on the file of the XX Metropolitan Magistrate at Egmore @ Allikulam, Chennai, within a period of two weeks from the date of receipt of a copy of this order.

7. With the above direction, this Criminal Original Petition is disposed of.

08-09-2025

Neutral Citation: Yes/No

mrp



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N.SATHISH KUMAR J.

mrp

To

1. The XIX Additional Sessions Court,
Chennai.
2. The XX Metropolitan Magistrate,
Egmore @ Allikulam,
Chennai.

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