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Crl.O.P.No.18328 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.18328 of 2025

P. Myilsamy

... Petitioner

Vs.

Senthilkumar

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to set aside the order dated 10.01.2025 made in Crl.M.P.No.1 of 2022, dated 10.01.2025 insofar as the deposit of 20% of the compensation amount and to grant the suspension of the sentence to the petitioner and release him on bail in connection with the appeal pending in C.A.No.302 of 2024 before the II Additional District and Sessions Judge, Tiruppur.

For Petitioner : Mr.P.Kalimuthu



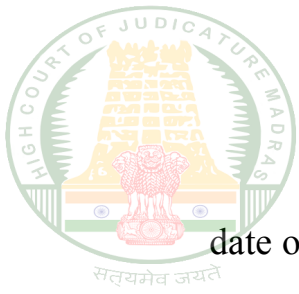
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ORDER

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Challenging the order dated 10.01.2025 made in Crl.M.P.No.1 of 2022 in Crl.A.No.302 of 2024 on the file of the II Additional District and Sessions Court, Tiruppur, the present petition has been filed by the petitioner/accused.

2. The petitioner herein was found guilty by the learned Judicial Magistrate, Palladam in S.T.C.No.3541 of 2016 for an offence punishable under Section 138 of Negotiable Instruments Act and sentenced him to undergo six months' simple imprisonment and to pay the cheque amount of Rs.15,00,000/- as compensation to the complainant, in default, to undergo simple imprisonment of one month. Aggrieved by the same, the petitioner preferred an appeal before the learned II Additional District and Sessions Judge, Tiruppur in Crl.A.No.302 of 2024. Along with the appeal, he has preferred an application seeking suspension of sentence in Crl.M.P.No.1 of 2024. The lower appellate Court, *vide* order dated 10.01.2025, suspended the sentence on condition that the petitioner shall deposit 20% of the compensation amount i.e., Rs.15,00,000/- within one month from the



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date of order. The said order is under challenge in this Criminal Original

WEB COPY Petition.

3. Learned counsel for the petitioner submitted that due to financial crisis of the petitioner, he was unable to mobilize 20% of the compensation amount and that he could not comply with the order of the lower appellate Court within the stipulated time. Learned counsel further submitted that now the petitioner is ready to deposit 20% of the compensation amount before the trial Court within a period of one week and hence he seeks extension of time to pay the compensation amount.

4. Considering the facts and circumstances and also considering the submissions made by the learned counsel for the petitioner, in order to give an opportunity to the petitioner to comply with the directions of the lower appellate Court, the time is extended till 10.07.2025 to deposit 20% of the compensation amount. The petitioner is directed to deposit 20% of the compensation amount to the credit of S.T.C.No.3541 of 2016 on the file of the Judicial Magistrate Court, Palladam on or before 10.07.2025.



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5. With the above directions, this Criminal Original Petition is disposed of.

01.07.2025

Note : Issue Order Copy on 01.07.2025

Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

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To

1. The II Additional District and Sessions Judge,
Tiruppur.
2. The Judicial Magistrate,
Palladam.



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P.VELMURUGAN, J

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