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CRL OP No. 24980 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 24980 of 2025

1. G.Thamarai

W/o. Gowthaman,

No.1, 5th East main Road, Vellore,

Gandhinagar, Vellore,

Tamilnadu - 632006.

Petitioner(s)

Vs

1. M/s. IDFC First Bank Limited

Earlier Known as Capital First Limited,

Rep. by its Authorized Signatory,

Mr. G.Vinoth Prabhu,

Amarasi Building, 3rd Floor,

No.455, Anna Salai,

Teynampet, Chennai - 600018.

Respondent(s)

**PRAYER**

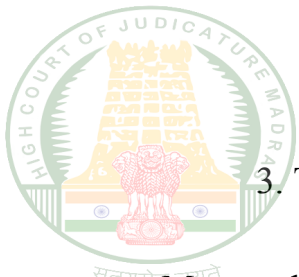
This Criminal Original Petition is filed under Section 528 of BNSS, to call for the records relating to the order made in Crl.MP.No.1/2025 in Crl.A.No.647/2025, dated 14.05.2025 on the file of the VII Additional Sessions Judge and set aside one of the condition that the petitioner shall deposit 20 percentage of the Compensation amount i.e. Rs.4,40,000/- (Four Lakh Forty Thousand Only) before the trial court within Sixty days from the date of the order.

For Petitioner(s): Mr.P.Prakash Paul

ORDER

This Criminal Original Petition has been filed to call for the records relating to the order dated 14.05.2025 passed in Crl.MP.No.1/2025 in Crl.A.No.647/2025, by the VII Additional Sessions Judge and to set aside one of the conditions that the petitioner shall deposit 20% of the Compensation amount i.e. Rs.4,40,000/- (Four Lakh Forty Thousand Only) before the trial court within sixty days from the date of the order.

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



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3. The petitioner is the accused in STC No.6118 of 2023 on the file of the Metropolitan Magistrate, FTC-II, Allikulam, Chennai. The petitioner was convicted for the offence under Section 138 of the Negotiable Instruments Act, vide order dated 23.4.2025. Aggrieved by the conviction order passed by the trial Court, the petitioner preferred an appeal in Crl.A.No.647 of 2025 along with Crl.M.P.No.1 of 2025 seeking suspension of sentence before the learned VII Additional Sessions Judge, Chennai. The XIX Additional Sessions Judge/Vacation Sessions Judge, while granting suspension sentence, vide impugned order dated 14.5.2025 directed the petitioner to pay 20% of the compensation amount before the trial Court. Aggrieved by the same, this criminal original petition has been filed.

4. The learned counsel for the petitioner submitted that the petitioner is ready to deposit 10% of the compensation amount before the trial Court. He further submitted that the petitioner had already made payments to the Bank.

5. Considering the submissions made by the learned counsel for the petitioner that the petitioner had already made payments to the Bank and also considering the nature of dispute, the impugned order passed by the learned



XIX Additional Sessions Judge/Vacation Sessions Judge in Crl.M.P.No.1 of 2025 in Crl.A.No.647 of 2025 (which is now pending on the file of the VII

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Additional Sessions Judge, Chennai) is modified to the effect that the petitioner shall deposit 10% of the compensation amount before the trial Court within a period of two weeks from the date of this order.

6. With the abovesaid direction, this Criminal Original Petition is disposed of.

12-09-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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The VII Additional Sessions Judge,
Chennai.



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N.SATHISH KUMAR J.

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