

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 25166 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

Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to the order made in CrI.MP.No.1/2025 in CrI.A.No.648/2025, 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% 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): Ms.Sivashankari

ORDER

This Criminal Original Petition has been filed to call for the records relating to the order dated 14.05.2025 passed in CrI.MP.No.1/2025 in CrI.A.No.648/2025, 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. The petitioner is the accused in STC No.6148 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 judgment dated 23.4.2025. Aggrieved by the conviction order passed by the trial Court, the petitioner preferred an appeal in CrI.A.No.648 of 2025 along

with CrI.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 of sentence, vide impugned order dated 14.5.2025 directed the petitioner to pay 20% of the compensation amount before the trial Court. Aggrieved over 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 CrI.M.P.No.1 of 2025 in CrI.A.No.647 of 2025 (which is now pending on the file of the VII 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 above said direction, this Criminal Original Petition is disposed of.

15.09.2025

vrc

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

The VII Additional Sessions Judge,

Chennai.

CRL OP No. 25166 of 2025

N.SATHISH KUMAR J.

VRC

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