



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL.M.P.No.16807 of 2025

in

CRL.R.C.No.1384 of 2025

S.Lenin

Petitioner

Vs

1. D.K.Manokaran
2. State rep by its Public Prosecutor,
Coimbatore.

Respondents

PRAYER: This petition is filed under Section 528 of BNSS Act, 2023, to modify the condition of depositing the entire cheque amount of Rs.6,25,000/- before the learned Judicial Magistrate Level - II, Coimbatore imposed in Crl.M.P.No.15383 of 2025 dated 11.08.2025 pending disposal of Crl.RC.No.1384 of 2025.

For Petitioner : Mr.S.S.Swaminathan

For Respondents : Dr.C.E.Pratap,
Government Advocate (Crl.side)



ORDER

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This Criminal Miscellaneous Petition has been filed to modify the condition of depositing the entire cheque amount of Rs.6,25,000/- before the learned Judicial Magistrate, Fast Track Court @ Magistrate Level II, Coimbatore, imposed by this Court while considering the petition for suspension of sentence in CrI.M.P.No.15383 of 2025 dated 11.08.2025 in CrI.RC.No.1384 of 2025.

2. The petitioner herein is the accused in C.C.No.692 of 2018 on the file of the learned Judicial Magistrate, Fast Track @ Magistrate Level II, Coimbatore. He has been convicted and sentenced to undergo imprisonment for a period of six months and to pay compensation of Rs.6,25,000/-, in default, to undergo further three months simple imprisonment. Aggrieved by the same, the petitioner had filed an appeal in C.A.No.94 of 2021 and the learned I Additional District and Sessions Judge, Coimbatore by order dated 24.09.2024, had dismissed the above appeal, confirming the judgment and sentence imposed by the trial Court, against which the accused has filed revision before this Court. This Court, while entertaining the revision petition, has granted suspension of sentence pending revision vide order dated 11.08.2025 in CrI.M.P.No.15383 of 2025 on condition that the petitioner shall deposit the cheque amount of Rs.6,25,000/- to the credit of C.C.No.692 of 2018 on the file of the Court below. To modify the said condition, the present petition has been filed.



3. The learned counsel for the petitioner would submit that he is working only as a Driver in the Transport Corporation and getting a very meagre amount as salary after deductions, out of which, he has to maintain his family including his parents and except his salary, he has no other income. Hence, he is unable to deposit the cheque amount as directed by this Court. Hence, he prays for modification of the said condition.

4. Heard the learned counsel appearing on either side and perused the materials available on record.

5. Considering the above facts and circumstance, this Court is inclined to modify the said condition to the effect "that the petitioner shall deposit a sum of Rs.2,00,000/- instead of Rs.6,25,000/- to the credit of C.C.No.692 of 2018 on the file of the **learned Judicial Magistrate, Fast Track Court @ Magistrate Level II, Coimbatore**, within a period of four weeks from the date of receipt of a copy of this order". The rest of the conditions remains unaltered.

6. Accordingly, this Criminal Miscellaneous Petition is ordered.

09.09.2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

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T.V.THAMILSELVI J.

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