

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.25393 of 2025 and
Crl.M.P.No.17176 of 2025

B.Prabhu

... Petitioner

Vs.

Kavitha

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S. to set aside the impugned order dated 28.07.2025 in M.P.No.1 of 2025 in Crl.A.No.144 of 2025 passed by the learned Principal District and Sessions Judge, Tiruvallur and modify the condition as far as the deposit of 10% of compensation awarded to the credit of S.T.C. No.905 of 2022 on the file of Judicial Magistrate, Poonamallee.

For Petitioners : Mr.Shangar Murali

ORDER

This Criminal Original Petition has been to set aside the impugned order dated 28.07.2025 in M.P.No.1 of 2025 in Crl.A.No.144 of 2025 passed by the learned Principal District and Sessions Judge, Tiruvallur and modify the condition as far as the deposit of 10% of compensation amount to the credit of S.T.C. No.905 of 2022 on the file of Judicial Magistrate, Poonamallee.

2. The case of the petitioner is that the first appellate Court had directed the petitioner to deposit 10% of the compensation amount while ordering suspension of sentence imposed by the trial Court for the offence under Section 138 of the Negotiable Instruments Act. Now challenging the same, the present petition is filed.

3. A perusal of the order of the first appellate Court shows that the learned Principal District and Sessions Judge by considering the entire facts and circumstances, has reduced the deposit of compensation amount to 10% from 20%. Hence, this Court is of the view that the percentage of compensation amount ordered by the first appellate Court does not require any interference of this Court and there is no merits in this petition.

4. However, three weeks time is granted to the petitioner from the date of receipt of a copy of this order, to deposit the said amount as directed by the first appellate Court.

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

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No

To

1. The Principal District and Sessions Judge, Tiruvallur
2. The Judicial Magistrate, Poonamallee.

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N. SATHISH KUMAR, J.

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