



CrI.O.P.No.25306 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P.No.25306 of 2025

K.Veerassamy

... Petitioner

Vs.

R.Sasikala

... Respondent

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to modify one of the conditions imposed on the petitioner to direct him to deposit 10 % of the compensation amount within 60 days in para No.2 of the order passed in C.M.P.No.76 of 2025 in C.A.No.88 of 2025 on the file of the II Additional Sessions Judge, Tiruchengode, by order dated 04.07.2025.

For Petitioner : Mr.C.S.Saravanan

ORDER

The Criminal Original Petition has been filed seeking to modify the condition imposed by the learned II Additional Sessions Judge, Tiruchengode, on 04.07.2025 in C.M.P.No.76 of 2025 in C.A.No.88 of 2025.



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WEB COPY 2. The brief facts of the case are as follows :-

2.1. The respondent had lodged a complaint against the petitioner/accused before the learned Judicial Magistrate, Kumarapalayam, for the offence under Sections 138 r/w 142 of Negotiable Instruments Act, in S.T.C.No.238 of 2020.

2.2. The trial Court, on 09.06.2025, found the petitioner/accused guilty, convicted him and sentenced him to undergo two years simple imprisonment and directed him to pay compensation of Rs.9,80,000/- within one month from 09.06.2025, in default to undergo three months simple imprisonment.

2.3. Against the said order, the petitioner has preferred an appeal before the learned II Additional Sessions Judge, Tiruchengode, in C.A.No.88 of 2025 along with the petition in C.M.P.No.76 of 2025 seeking suspension of sentence.

2.4. The Appellate Court, while suspending the sentence imposed on the petitioner on 04.07.2025, directed him to deposit 10 % of the compensation amount before the trial Court within 60 days. Against which, the present petition has been filed seeking to modify the same.



WEB COPY 3. It is the contention of the learned counsel appearing for the petitioner that the petitioner is a monthly salaried person and was unable to mobilize the funds, hence, he failed to comply with the condition imposed by the appellate Court. Therefore, he prayed for a modification of the said condition.

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

5. Though the petition has been filed to modify the condition imposed by the appellate Court, this Court is not inclined to modify the same. However, the time for compliance may be extended to comply with the said condition.

6. Accordingly, the time for depositing 10 % of the compensation amount before the trial Court, as imposed by the appellate Court in C.M.P.No.76 of 2025 in C.A.No.88 of 2025, is extended for a further period of two weeks from the date of receipt of copy of this order.



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WEB COPY 7. In view of the above, this Criminal Original Petition stands disposed of.

16.09.2025

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Neutral Citation: Yes/No

To

1. The II Additional Sessions Judge, Tiruchengode.
2. The Judicial Magistrate, Kumarapalayam.



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N. SATHISH KUMAR, J.

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