



Crl.M.P.No.17549 of 2025 in
Crl.R.C.No.1446 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2025

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.M.P.No.17549 of 2025

Crl.RC.No.1446 of 2025

Vetrivel Creations
Represented by V.Senthil Kumar

...Petitioner

Vs

1.The State,
Represented by the Public Prosecutor,
Coimbatore.

2.K.S.Senathipathi

.... Respondents

PRAYER: Criminal Miscellaneous Petition filed under Section 528 of BNSS, Act, to modify the Condition No.(i) by order dated 14.08.2025 in Crl.M.P.No. 15062 of 2025 in Crl.RC.No. 1446 of 2025 and thereby directing the petitioner to deposit 25% of the Cheque amount.

For Petitioner : Mr.S.Jeyakumar

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner seeking to modify the conditions imposed by this Court in Crl.M.P.No.15062 of 2025 in Crl.R.C.No.1446 of 2025, dated 14.08.2025, wherein, the relevant



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Paragraph No.5 Condition No.(i) and thereby directing the petitioner to deposit to 25% of the Cheque amount.

2.On perusal of records, it reveals that the petitioner herein is the accused in C.C.No.99 of 2017 on the file of First Class Judicial Magistrate [Fast Tract Court No.II], Coimbatore. He was found guilty of the offence under Section 138 of the Negotiable Instruments Act and he has been convicted and sentenced to undergo simple imprisonment for a period of six months and awarded to pay the compensation of Rs.25,00,000/- with interest at the rate of 6% per annum within a period of one month, in default of payment of compensation, the petitioner shall undergo a simple imprisonment for a period of three months as default sentence. Aggrieved by the same, the petitioner had preferred an appeal in Crl.A.No.131 of 2019 and the I Additional District and Sessions Judge, Coimbatore, by order dated 13.03.2025 confirming the conviction imposed by judgment dated 08.03.2019 made in C.C.No.99 of 2017. Aggrieved by the same, the present revision has been filed by the petitioner.



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3.The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Revision Case and the petitioner/accused has got a fair chance of succeeding in the Criminal Revision Case. He would further submit that the petitioner is doing small scale food catering services and he only earning a sum of Rs.25,000/- per month and therefore, he is unable to deposit a sum of Rs.25,00,000/- in order to comply with the order passed by this Court. He would submit that the Court below had erroneously convicted the petitioner without any basic material. Therefore, the petitioner is ready to abide any condition to be imposed by this Court.

4.After hearing the submissions made by the learned Counsel on either side and considering the reasons stated in the affidavit filed in support of this petition, this Court is inclined to modify the conditions imposed by this Court in Crl.M.P.No. 15602 of 2025 in Crl.R.C.No. 1446 of 2025, dated 14.08.2025 wherein, the relevant Paragraph No.5(i) which reads as follows:-

“5(i) the petitioner is directed to pay a sum of Rs.10,00,000/- [Rupees Ten Lakh Only] after deducting the amount which was already deposited by the petitioner, if any, to the Credit of C.C.No. 99 of 2017 on the file of First Class Judicial Magistrate [Fast Track Court No.II], Coimbatore,



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within a period of four weeks from the date of receipt of a copy of this order, in default, the order passed by this Court shall stand automatically cancelled”.

5.The rest of the conditions imposed by this Court in Crl.M.P.No.15602 of 2025 in Crl.R.C.No.1446 of 2025, dated 14.08.2025 shall remains unaltered.

6.Issue notice to the 2nd respondent returnable by 05.11.2025. Private Notice is also permitted.

7. Post the matter on 05.11.2025.

19.09.2025

MSM

Index : Yes/No

Neutral citation : Yes/No

Speaking/non-speaking order

To

1. The Additional District and Sessions Judge, Coimbatore
2. The First Class Judicial Magistrate [Fast Track Court No.II, Coimbatore.



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T.V.THAMILSELVI, J.

MSM

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