



Crl.O.P.Nos.25644 & 25645 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.25644 & 25645 of 2025
and Crl.M.P.Nos.17408 & 17412 of 2025

D.Prabakara

... Petitioner in both OPs

Vs.

M.S.V.Sankaran

... Respondent in both OPs

Common Prayer: Criminal Original Petitions are filed under Section 528 BNSS, to set aside the orders dated 14.08.2025 passed in CMP.Nos.2269 of 2025 in C.A.No.112 of 2025 and 2278 of 2025 in C.A.No.111 of 2025 respectively on the file of the I Additional District and Sessions Judge, Salem with respect to the condition that 20% of compensation amount of Rs.3,32,945/- and 4,50,000/- respectively as ordered to be deposited into the credit of STC.Nos.2656 and 2655 of 2020 respectively before the learned Judicial Magistrate No.I, Salem on or before 15.09.2025 is concerned.

In both OPs

For Petitioner : Mr.R.Nalliyappan

COMMON ORDER

These petitions have been filed to set aside the orders dated 14.08.2025 passed in CMP.Nos.2269 of 2025 in C.A.No.112 of 2025 and 2278 of 2025 in C.A.No.111 of 2025 respectively on the file of the I Additional District and Sessions Judge, Salem with respect to the condition that 20% of compensation amount of Rs.3,32,945/- and 4,50,000/-



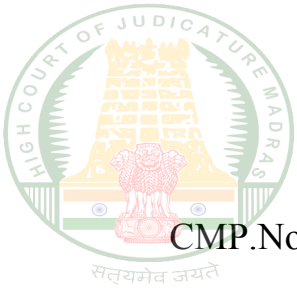
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respectively as ordered to be deposited into the credit of STC.Nos.2656 and 2655 of 2020 respectively before the learned Judicial Magistrate No.I, Salem on or before 15.09.2025 is concerned.

2. Learned counsel appearing for the petitioner in both cases submitted that the learned I Additional District and Sessions Judge, Salem while suspending the sentence in both cases imposed a condition directing the petitioner to deposit 20% of the compensation amount on or before 15.09.2025 before the Trial Court. The petitioner has a very good case in appeals, therefore, seeks to reduce the condition to deposit 10% of the compensation amount.

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

4.No doubt, Section 148 Negotiable Instruments Act empowers the appellate Court to direct the appellant to deposit a minimum of twenty percent of the compensation awarded by the trial court. However, this Court without going into the merits of the case is inclined to modify the condition imposed in CMP.Nos.2269 of 2025 in C.A.No.112 of 2025 and



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CMP.No.2278 of 2025 in C.A.No.111 of 2025 vide orders dated

14.08.2025.

5. Accordingly, the petitioner is directed to deposit 10% of the compensation amount in both cases before the trial Court within a period of two weeks from the date of receipt of a copy of this order. The first appellate Court shall dispose of the appeal as expeditiously as possible on its own merits.

6. In view of the above, these petitions stand disposed of. Consequently, connected miscellaneous petitions stand closed.

18.09.2025

Neutral Citation: Yes/No

Internet : Yes/No

dhk



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N. SATHISH KUMAR, J.

dhk

To

1. The I Additional District and Sessions Court,
Salem
2. The Judicial Magistrate No.1
Salem
3. The Public Prosecutor,
Coimbatore.

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