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CRL OP No. 30686 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P. No. 30686 of 2025

R.Geetha,
W/o.Ravi,
No.1, Nagathamman Koil Street,
Royapuram,
Chennai-13.

..Petitioner(s)

Vs

Murugan,
S/o.Kuppan,
No.5, Elumalai Street,
Bharathinagar,
Nesapakkam,
Chennai-600 078.

..Respondent(s)

PRAYER: Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to allow this petition and modify the condition order dated 28.02.2025 passed in CrI.M.P.No.1 of 2025 in C.A.No.252 of 2025 by the learned Principal Sessions judge, Chennai reducing the condition relating to deposit of 20 percent of the compensation amount.

For Petitioner(s): Mr.M.J.Sundar

Order

This Criminal Original Petition was disposed of by this Court by order dated 05.12.2025. At Paragraph No.2 of the said order, while discussing the



sentence awarded by the Trial Court, it has been wrongly stated that the Trial Court had directed the petitioner to pay the cheque amount of Rs.6,00,000/- instead of Rs.5,00,000/-. Therefore, at the instance of the learned counsel for the petitioner, this matter is listed today under the caption “for being mentioned”.

2.In view of the above, the Registry is directed to correct the amount of Rs.6,00,000/- found at Paragraph No.2 of the order dated 05.12.2025 as Rs.5,00,000/- (Rupees five lakhs only) and issue corrected order copy to the parties.

13-02-2026

MPS

To

1.The Principal Sessions Judge,
Chennai.

2.The Special Metropolitan Magistrate
/XIV Court of Small Causes,
Chennai.



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A.D.JAGADISH CHANDIRA J.

MPS

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DATED: 05.12.2025

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

CrI.OP.No.30686 of 2025

R.Geetha

...Petitioner

Vs.

Murugan

...Respondent

Criminal Original Petition filed under Section 528 of BNSS, 2023/482 of Cr.P.C to allow this petition and modify the condition order dated 28.02.2025 passed in CrI.MP.No.1 of 2025 in C.A.No.252 of 2025 by the learned Principal Sessions Judge, Chennai, reducing the condition relating to deposit of 20% of the compensation amount.

For Petitioner : Mr.M.J.Sundar

ORDER

This criminal original petition has been filed seeking quashment of the order dated 28.02.2025 passed in CrI.MP.No.1 of 2025 in C.A.No.252 of 2025 on the file of learned Principal Sessions Judge, Chennai, so far as the



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condition relating to deposit of 20% of the compensation amount to the credit of STC.No.874 of 2021 is concerned.

2. It is the case of the petitioner that the respondent/complainant initiated proceedings under Section 138 of the Negotiable Instruments Act, 1881 (in short 'NI Act') against the petitioner/accused in STC.No.874 of 2021 and the trial court, vide order dated 14.10.2024, convicted the petitioner for the offence under Section 138 of the NI Act and sentenced her to undergo six months simple imprisonment and further directed her to pay the cheque amount of Rs.6,00,000/- (Rupees Six Lakhs only) in favour of the respondent/complainant within two months along with 12% interest per annum, in default to undergo simple imprisonment for a further period of two months. Aggrieved by the same, the petitioner preferred an appeal in C.A.No.252 of 2025 along with a petition in Crl.MP.No.1 of 2025, seeking suspension of sentence. The learned Principal Sessions Judge, Chennai, vide impugned order dated 28.02.2025, while suspending the sentence imposed on the petitioner, directed the petitioner to deposit 20% of the compensation amount before the trial Court within 60 days from the date of the said order. Aggrieved by the same, the present petition has been filed.



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3. Learned counsel for the petitioner submitted that there are arguable grounds in the appeal and the petitioner has a good and meritorious case in appeal. Therefore, he prayed that the order directing the petitioner to deposit 20% of the compensation amount may be set aside.

4. On a perusal of the materials available on record, more particularly the impugned order, this Court is of the view that the appellate Court, while holding that the petitioner/appellant has made out arguable points in the main appeal, has suspended the sentence and imposed certain conditions. However, taking into account the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner, this Court is inclined to modify the condition imposed by the appellate Court in Crl.MP.No.1 of 2025 in C.A.No.252 of 2025, vide order dated 28.02.2025.

5. Accordingly, the direction to deposit 20% of the compensation amount, issued by the lower appellate court is hereby modified as 10% and the petitioner is directed to deposit 10% of the compensation amount before the trial Court within a period of two weeks from today. It is made clear that



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all the other conditions imposed by the lower appellate court shall remain unaltered.

6. With the above directions, this Criminal Original Petition stands disposed of.

05.12.2025

skt

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

Note to office: Issue order copy on 08.12.2025.

To:

1. The Principal Sessions Judge,
Chennai.

2. The Special Metropolitan Magistrate/XIV Court of Small Causes,
Chennai.

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A.D.JAGADISH CHANDIRA, J.

skt

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05.12.2025