



Crl.O.P.No.29941 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2025

CORAM:

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

Crl.O.P.No.29941 of 2025

K.Venkatesan

... Petitioner

Vs.

P.V.Muthuraj

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to issue a direction to call for the records pertaining to the order passed in Crl.M.P.Sr.No. Nil of 2025 dated 15.09.2025 in STC.No.3107 of 2022 on the file of the learned Metropolitan Magistrate, Fast Track Court Magisterial Level No.V, Saidapet, Chennai-15 and set aside the same by allowing the above criminal original petition and further directing the petitioner to deposit 10 percent of the compensation amount before the Trail Court as ordered in Crl.M.P.No.2256 of 2025 dated 04.09.2025, on the file of the learned XV Additional Sessions Court, Chennai, within a reasonable period.

For Petitioner : Mr. P.Pugalenth



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ORDER

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This criminal original petition has been filed, to call for the records pertaining to the order passed in Crl.M.P.Sr.No. Nil of 2025 dated 15.09.2025 in STC.No.3107 of 2022, on the file of the Metropolitan Magistrate, Fast Track Court Magisterial Level V, Saidapet, Chennai, and set aside the same by allowing this criminal original petition and further, permitting the petitioner to deposit 10 % of the compensation before the Trial Court as ordered in Crl.M.P.No.2256 of 2025, dated 04.09.2025, on the file of the learned XV Additional Sessions Court, Chennai, within a reasonable period.

2. Mr. P.Pugalenth, the learned counsel for the petitioner would submit that the petitioner is an accused, convicted in STC.No.3107 of 2022, on the file of the Metropolitan Magistrate, FTC V, Saidapet, Chennai; challenging the conviction, the petitioner filed a criminal appeal in C.A.No.73 of 2025, before the XV Additional Sessions Court, Chennai; along with the appeal, the petitioner filed a petition in Crl.M.P.No.1 of 2025, seeking suspension of sentence



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pending disposal of the appeal and the said petition was allowed on 22.01.2025, on condition that the petitioner shall deposit 10% of the compensation amount, before the Trial Court to the credit of STC, within a period of four weeks from the date of receipt of the order.

3. The learned counsel would further submit that, the petitioner could not raise funds due to his penurious condition and therefore, he filed a petition in Crl.M.P.No.2256 of 2025, seeking extension of time to deposit 10% of the compensation amount; the learned XV Additional Judge, City Civil Court, Chennai, by an order dated 04.09.2025 in Crl.M.P.No.2256 of 2025 had extended the time to deposit 10% of the compensation amount of Rs.10,000/- till 15.09.2025. The petitioner along with a memo dated 12.09.2025 attempted to deposit the amount within time. However, the memo was returned by the learned Metropolitan Magistrate, Fast Track Court No.V, Saidapet, Chennai, instructing him to file the memo along with the extension order. Once again, on 15.09.2025, the petitioner had represented the memo along with E-court extract dated 04.09.2025



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and the learned judge, on the same day, returned the memo stating that "extension order not attached. E-court extract order does not entertained. Hence returned."

4.Learned counsel for the petitioner would further submit that the E-court extract clearly discloses that the time to deposit the 10% of the compensation amount of Rs,10,000/- to the credit of STC No.3107/2022 on the file of the FTC No.V, Saidapet was extended till 15.09.2025, whereas for no fault of the petitioner, the memo had been returned. He would further submit that the petitioner is ready to deposit the amount and get along with the trial.

5.Admittedly, the petitioner had re-presented the memo on 15.09.2025 along with E-court extract. When the E-court extract, which is exhibited hereunder discloses that the time had been extended till 15.09.2025, the trial Court ought not to have returned the memo stating that the E-court extract will not be entertained.



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Daily Status
City Civil Court, Chennai
In the court of : XV ADDITIONAL JUDGE
CNR Number : TNCH010058492025
Case Number : CrLMP/0002256/2025
K Venkatesan versus P V Muthuraj
Date : 04-09-2025

Business	: Objections not filed after giving sufficient times. Respondent called absent. No representation from the respondent. Petitioner side heard. Records perused. Petition is filed seeking extension of time to deposit the 10 percentage of the compensation amount by order dated 22.01.2025 in CrLMP No.01/2025 in CrLA No.73/2025. No serious objections raised on the side of respondent/complainant. Hence this petition is allowed and the petitioner is ordered to deposit 10 percentage of the compensation amount i.e., 10,000/- to the credit of STC No.3107/2022 on the file of the FTC No.V, Saidapet on or before 15.09.2025.
Nature of Disposal	: Allowed
Disposal Date	: 04-09-2025

XV ADDITIONAL JUDGE

6.In view of the above, this Criminal Original petition stands allowed and the order dated 15.09.2025 made in Crl.M.P.SR No.Nil of 2025 in STC No.3107 of 2022 on the file of Fast Track Court No.V, Saidapet, Chennai, stands set aside. Time is extended by further period of two weeks and the petitioner shall deposit 10% of the compensation



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amount to the credit of STC No.3107/2022 on the file of Metropolitan Magistrate, FTC No.V, Saidapet, Chennai, as directed *vide* order dated 22.01.2025 in Crl.M.P.No.1 of 2025 in Crl.A.No.73 of 2025 within a period of two weeks from the date of receipt of a copy of this order.

7. With the above direction, this criminal original petition is allowed.

04.11.2025

Neutral Citation:Yes/No
kan/raa

Note: Issue order copy by 06.11.2025.

To

1.The XV Additional Sessions Court,
Chennai.

2.The Metropolitan Magistrate,
FTC V, Saidapet,
Chennai.

3.The Public Prosecutor,
Madras High Court,
Chennai.

A.D.JAGADISH CHANDIRA, J.

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