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Crl.O.P.No.30327 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2025

CORAM:

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.30327 of 2025 and
Crl.M.P.No.20735 of 2025

K.Poornima
W/o.R.Parthikeyan
Proprietor of M/s.Royal Fitness Club
No.5, VNG Road, Moolachatram
Madhavaram, Chennai -600 053

... Petitioner

Vs.

A.P.Rajan

... Respondent

PRAYER: Criminal Original Petition filed under Section 528 of B.N.S.S. to set aside the order dated 08.10.2025, passed in M.P.No.2 of 2025 in Crl. Appeal No.759 of 2025 pending on the file of the learned 16th Additional District Judge, Chennai and consequently be pleased to grant an extension of time for four weeks for depositing the conditional deposit of 10% as ordered in M.P.No.1 of 2025 in Crl. Appeal No.759 of 2025.

For Petitioner : Mr.S.Ruban Prabu

ORDER

This Criminal Original Petition has been filed to set aside the order dated 08.10.2025, passed in M.P.No.2 of 2025 in Crl. Appeal No.759 of 2025, pending on the file of the learned XVI Additional District Judge, Chennai and consequently to grant extension of time by four weeks for



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depositing the conditional deposit of 10% as ordered in M.P.No.1 of 2025

in Crl. Appeal No.759 of 2025.

2. Mr.S.Ruban Prabu, learned counsel for the petitioner would submit that against the judgment of conviction and sentence dated 19.05.2025, imposed by the learned XXV Metropolitan Magistrate, Egmore, Chennai, in C.C.No.603 of 2020 for the offence under Section 138 of the Negotiable Instruments Act, 1881, the petitioner preferred an appeal in Crl. Appeal No.759 of 2025, before the XVI Additional District Judge, Chennai, along with a petition in M.P.No.1 of 2025, seeking suspension of sentence pending disposal of the appeal. The learned Sessions Judge, by order dated 16.06.2025, suspended the sentence subject to conditions that the petitioner shall execute a bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the learned XXV Metropolitan Magistrate, Egmore, Chennai on or before 23.06.2025 and further, the petitioner shall deposit 10% of the compensation amount before the trial Court to the credit of C.C. within sixty days from the date of the order. The learned counsel would further submit that due to financial crunch, the petitioner could not deposit 10% of the compensation amount within the stipulated time. Hence, the petitioner filed another petition in M.P.No.2 of 2025 seeking extension of time for depositing 10% of the compensation



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amount as ordered by the learned Sessions Judge while suspending the sentence. However, the learned Sessions Judge, dismissed the same by order dated 08.10.2025. The learned counsel would submit that the petitioner is ready to deposit and to comply with the said condition, if some more time is granted to her. Hence, the present petition is filed seeking extension of time.

3. Considering the submissions of the learned counsel for the petitioner, the order dated 08.10.2025, passed in M.P.No.2 of 2025 in Crl. Appeal No.759 of 2025, by the learned XVI Additional District Judge, Chennai, is set aside and four weeks time from the date of this order, is granted to the petitioner, to deposit 10% of the compensation amount and to comply with the order dated 16.06.2025 passed in M.P.No.1 of 2025 in Crl. Appeal No.759 of 2025.

4. Accordingly, this Criminal Original Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed.

07.11.2025

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No

Note: Issue order copy on 12.11.2025.



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A.D.JAGADISH CHANDIRA J.

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To

1. The XVI Additional District Judge, Chennai
2. The XXV Metropolitan Magistrate, Egmore, Chennai

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