



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.11.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

**Crl.M.P.Nos.21648 & 21649 of 2025
in Crl.R.C.No.1027 of 2025**

P.Annadurai

...Petitioner in both Crl.M.Ps

Versus

Durairaj

...Respondent in both Crl.M.Ps

Prayer in Crl.M.P.No.21648 of 2025 in Crl.R.C.No.1027 of 2025:

This Criminal Miscellaneous Petition is filed under Section 528 of BNSS, 2023 praying to extend the time that has been granted in Crl.M.P.No.13481 of 2025 in Crl.R.C.No.1027 of 2025 dated 09.07.2025 for deposit the amount and execute the bond in trial Court.

Prayer in Crl.M.P.No.21649 of 2025 in Crl.R.C.No.1027 of 2025:

This Criminal Miscellaneous Petition is filed under Section 528 of BNSS, 2023 praying to pass an order modifying the conditional amount that has to be deposited as per the Order in Crl.M.P.No.13481 of 2025 in Crl.R.C.No.1027 of 2025 dated 09.07.2025.

For Petitioner in both Crl.M.Ps : Mr.R.Muruga Bharath



COMMON ORDER

The Criminal Miscellaneous Petition No.21648 of 2025 has been filed by the petitioner seeking to extend the time that has been granted in Order dated 09.07.2025 in CrI.M.P.No.13481 of 2025 in CrI.R.C.No.1027 of 2025 for depositing the conditional amount and executing the bond in Trial Court.

2. The Criminal Miscellaneous Petition No.21649 of 2025 has been filed by the petitioner seeking to pass an order modifying the conditional amount that has to be deposited as per the Order dated 09.07.2025 in CrI.M.P.No.13481 of 2025 in CrI.R.C.No.1027 of 2025 passed by this Court.

3. The learned counsel for petitioner submitted that this Court vide Order dated 09.07.2025 in CrI.M.P.No.13481 of 2025 in CrI.R.C.No.1027 of 2025, suspended the sentence imposed on petitioner and granted him bail on following conditions:

“(i) the petitioner shall deposit the entire cheque amount, i.e. Rs.9,00,000/- (Rupees Nine Lakhs only), after deducting the amount which was already deposited by the petitioner, if any, to the credit of S.T.C.No.238 of 2016 on the file of learned Judicial Magistrate,



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Thiruvavarur, within a period of four weeks from today. Failing which, the order passed by this Court shall stand automatically cancelled.

(ii) On such deposit being made, the trial Court shall redeposit the said amount in a Fixed Deposit Account, in any one of the Nationalized Banks, renewable thereafter periodically. The disbursal of this amount shall be decided at the culmination of the Criminal Revision Case;

(iii) On the failure of the petitioner/accused depositing the above said amount, it is open to the trial Court to commit the petitioner/accused into custody for undergoing the sentence;

(iv) On the petitioner depositing the amount as stated clause (i) supra, the sentence of imprisonment alone, imposed on the petitioner/accused, shall be suspended, on his execution of a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the trial court;

(v) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;

(vi) The petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the revision petition and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 355 of BNSS, 2023 and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.”



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3.1. It is further submitted by the learned counsel for petitioner petitioner is a coolie worker and thus, he is unable to mobilize the entire cheque amount and deposit the same in S.T.C.No.238 of 2016 on the file of Judicial Magistrate Court, Thiruvarur, within a period of four weeks from the date of aforesaid order passed by this Court. Therefore, the learned counsel prayed that the conditional amount stipulated by this Court in Order dated 09.07.2025 in CrI.M.P.No.13481 of 2025 in CrI.R.C.No.1027 of 2025 may be modified and the time limit stipulated by this Court for depositing the conditional amount as well as for executing the bond in Trial Court in Order dated 09.07.2025 in CrI.M.P.No.13481 of 2025 in CrI.R.C.No.1027 of 2025 may be extended.

4. Considering the above submissions made by the learned counsel for petitioner, this Court is inclined to allow these Criminal Miscellaneous Petitions by modifying the conditional amount and by extending the time limit for depositing the conditional amount and for executing the bond in Trial Court stipulated by this Court in Order dated 09.07.2025 in CrI.M.P.No.13481 of 2025 in CrI.R.C.No.1027 of 2025.



5. Accordingly, these Criminal Miscellaneous Petitions are allowed and the conditional amount stipulated by this Court in Order dated 09.07.2025 in CrI.M.P.No.13481 of 2025 in CrI.R.C.No.1027 of 2025 is modified as Rs.4,00,000/- and the time limit for depositing the conditional amount and for executing the bond in Trial Court, stipulated by this Court in Order dated 09.07.2025 in CrI.M.P.No.13481 of 2025 in CrI.R.C.No.1027 of 2025 is extended by three weeks.

6. It is made clear that as per this order, the petitioner shall deposit a sum of Rs.4,00,000/- (Rupees Four Lakhs only), after deducting the amount which was already deposited by him, if any, to the credit of S.T.C.No.238 of 2016 on the file of learned Judicial Magistrate, Thiruvavarur and also, the petitioner shall execute a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the Trial Court, within a period of three weeks from today.

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Index: Yes/No

Speaking Order (or) Non-Speaking Order



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To

1.The Judicial Magistrate,
Thiruvarur.

2.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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