



Crl.O.P.No.34335 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2025

CORAM:

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

Crl.O.P.No.34335 of 2025
and Crl.M.P.No.24146 of 2025

Sri Royal Traders,
rep. by its Proprietor
Ramanathan Selvaraj

... Petitioner

Vs.

Samunnati Agro Solutions Pvt Ltd.,
rep. By K.Amudhan, Power Agent,
Hi Tech Park,
8th Floor, No.129-B, East Coast Road,
Tiruvanmiyur, Chennai 41

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita to set aside the condition to deposit 20% of the cheque amount imposed in the order dated 09.10.2025 in Crl.M.P.No.1 of 2025 in CA No.1217 of 2025 on the file of learned XIX Additional Judge, City Civil Court, Chennai.

For Petitioner : Mr.N.Manoharan

ORDER

The present Criminal Original Petition has been filed to set aside the condition to deposit 20% of the cheque amount imposed in the order dated 09.10.2025 in Crl.M.P.No.1 of 2025 in CA No.1217 of 2025 on the file of learned XIX Additional Judge, City Civil Court, Chennai.

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2. The brief facts of the case are as follows :-

2.1. The complaint under Section 138 of the Negotiable Instruments Act was filed by the respondent against the petitioner before the learned Metropolitan Magistrate, FTC-V, Saidapet, Chennai, in S.T.C.No.3817 of 2022.

2.2. On 09.09.2025, the trial Court found the petitioner/accused guilty, convicted him and sentenced him to undergo one year simple imprisonment and further directed him to pay the cheque amount of Rs.99,82,800/- as compensation, in default, to undergo four months simple imprisonment.

2.3. Against the said judgment, the petitioner preferred an appeal in Crl.A.No.1217 of 2025 along with a petition in Crl.M.P.No.1 of 2025 seeking suspension of sentence. On 09.10.2025, the XIX Additional Sessions Judge, City Civil Court, Chennai, while suspending the sentence imposed on the petitioner, directed him to deposit 20 % of the compensation amount before the trial Court within sixty days from the date of the said order. Aggrieved by the same, the present petition has been filed.



3. Learned counsel appearing for the petitioner submitted that the petitioner is not in a position to mobilise 20% of the compensation amount due to his financial distress that happened post COVID-19 and therefore, the petitioner, is unable to deposit the said amount. He further submitted that the petitioner has a good and meritorious case in appeal. Therefore, he prayed that the condition directing the petitioner to deposit 20% of the compensation amount may be set aside.

4. Having heard the learned counsel for the petitioner and perused the materials available on record, 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 that there are arguable grounds in the appeal and that he has a good case on merits, this Court is inclined to modify condition imposed by the appellate Court in Crl.M.P.No.1 of 2025 in Crl.A.No.1217 of 2025 vide order dated 09.10.2025. Accordingly, the direction to deposit 20% of the compensation amount is hereby modified as 10%. It is also made clear that all other conditions remain unaltered.



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5. At this juncture, the learned counsel appearing for the petitioner prayed that some reasonable time may be granted to the petitioner to comply with the said condition.

6. Accordingly, the petitioner is directed to deposit 10 % of the compensation amount before the trial Court within a period of **four weeks** from the date of receipt of a copy of this order.

7. With the above directions, this Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

16.12.2025

Neutral Citation: Yes/No
mrn



CrI.O.P.No.34335 of 2025

To

The XIX Additional Judge,
City Civil Court, Chennai.



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A.D.JAGADISH CHANDIRA, J.

(MRN)

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