



Crl.O.P.No.34214 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.34214 of 2025

1.M/s.Frame Work Infrastructure Pvt. Ltd.,
rep. By its Managing Director,
S.Jagannathan

2.S.Jagannathan

... Petitioners

Vs.

S.P.Vijayakumar

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita to set aside the condition directing the 2nd petitioner to pay 20% of the compensation amount passed in Cr.M.P.No.1 of 2025 in CA No.1323 of 2025 dated 01.11.2025 on the file of the learned XV Additional City Civil Court, Chennai.

For Petitioners : Mr.A.P.Sathya Murthy

ORDER

The present Criminal Original Petition has been filed to set aside the order passed by the XV Additional City Civil Court, Chennai, dated 01.11.2025, in M.P.No.1 of 2025 in CA No.1323 of 2025.



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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 petitioners before the learned XXVII Metropolitan Magistrate, Saidapet, Chennai, in C.C.No.1234 of 2020.

2.2. On 17.10.2025, the trial Court found the petitioners/accused guilty, convicted the second petitioner and sentenced him to undergo one year simple imprisonment and further directed him to pay the cheque amount of Rs.20,00,000/- as compensation, in default to undergo three months simple imprisonment.

2.3. Against the said judgment, the petitioners preferred an appeal in C.A.No.1323 of 2025 along with a petition in M.P.No.1 of 2025 seeking suspension of sentence. On 01.11.2025, the XV Additional Sessions Judge, City Civil Court, Chennai, while suspending the sentence imposed on the second petitioner, directed him to deposit 20 % of the compensation amount before the trial Court within thirty 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 appearing for the petitioners submitted that though this petition has been filed to set aside a particular condition in the order dated 01.11.2025, in M.P.No.1 of 2025 in CA No.1323 of 2025 passed by the XV Additional City Civil Court, Chennai, it would suffice if the conditional order directing the petitioners to deposit 20% of the compensation amount is reduced to 10%. He further submitted that the petitioners have a good and meritorious case in appeal.

4. Having heard the learned counsel for the petitioners and perused the materials available on record, this Court is of the view that the appellate Court, while holding that the petitioners/appellants have 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 petitioners that there are arguable grounds in the appeal and that he has a good case on merits, this Court is inclined to modify the condition imposed by the appellate Court in Crl.M.P.No.1 of 2025 in C.A.No.1323 of 2025 dated 01.11.2025 *qua* deposit. Accordingly, the direction to deposit 20% of the compensation amount is hereby reduced to 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 petitioners prayed that some reasonable time may be granted to the petitioners to comply with the said condition.

6. Accordingly, the petitioners are 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.

16.12.2025

Neutral Citation: Yes/No
MRN



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To

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1. The XV Additional City Civil Court, Chennai.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

(MRN)

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