



Crl.R.C.(MD)No.432 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.432 of 2025

and

Crl.M.P(MD)No.4398 of 2025

K.Mohan

: Petitioner

Vs.

S.Perumal

: Respondent

PRAYER : Criminal Revision Petition filed under Section 438 r/w 442 BNSS, to call for the records pertaining to the order, dated 11.03.2025 in Crl.M.P.No. 1201 of 2025 in Crl.A.No.26 of 2025 by the learned Principal Sessions Judge, Madurai and set aside the same as illegal and relax the condition to deposit 20% of compensation amount.

For Petitioner : Mr.K.K.Samy

ORDER

The Criminal Revision is directed against the order passed in Crl.M.P.No.1201 of 2025 in Crl.A.No.26 of 2025, on the file of the learned Principal Sessions Judge, Madurai, wherein the petitioner was directed to deposit 20% of compensation amount before the learned Judicial Magistrate No.I, FTC (Magisterial Level), Madurai, within a period of one month.



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2.The respondent has filed a complaint under Section 200 of Cr.P.C., against the petitioner for the alleged offence under Section 138 of NI Act. The learned Magistrate, after full trial, has passed the judgment, dated 30.01.2025, finding the petitioner guilty for the offence under Section 138 of NI Act and convicted and sentenced him to undergo one year simple imprisonment and to pay compensation of Rs.20,00,000/- in default to undergo three months simple imprisonment. Challenging the judgment of conviction, he preferred an appeal in Crl.A.No.26 of 2025 and also moved an application for suspension of sentence.

3.The learned Principal Sessions Judge while suspending the sentence has imposed certain conditions, which includes that the petitioner has to deposit 20% of the compensation amount. Challenging the same, the preset Criminal Revision came to be filed.

4.The only reason canvassed is that the learned appellate Judge has not recorded any reason. But the learned Principal Sessions Judge, considering the materials available on record and the judgment of the trial Court, has come to a decision that a condition to deposit the minimum amount as contemplated



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under Section 148 Negotiable Instruments Act, has to be imposed. Hence, the impugned order cannot be found fault with. Consequently, this Court concludes that the Criminal Revision case is devoid of merits and the same is liable to be dismissed.

5.At this juncture, the learned counsel for the petitioner seeks time for depositing the amount as directed by the trial Court.

6.In the result, the Criminal Revision Case is dismissed. Considering the submission made by the learned counsel for the petitioner, the petitioner is directed to comply with the order passed by the learned Principal Sessions Judge, Madurai, dated 11.03.2025, on or before **12.05.2025**. Consequently, connected Miscellaneous Petition is closed.

15.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
das

To

1.The Principal Sessions Judge, Madurai.

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K.MURALI SHANKAR,J.

das

Order made in
Crl.R.C.(MD)No.432 of 2025

Dated: 15.04.2025