



Crl.R.C.(MD)No.529 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.529 of 2025

Manoj Kumar

... Petitioner

Vs.

N.Sekar

... Respondent

PRAYER : Criminal Revision filed under Section 438 r/w 442 BNSS, to call for the records relating to the impugned order dated 12.03.2025 in Cr.M.P.No.1085 of 2025 in Crl.A.No.21 of 2025 on the file of the learned Principal District and Sessions Judge, Madurai and set aside the same to extent of directing the petitioner to pay 20% of the compensation amount.

For Petitioner : Mr.S.Loganathan

ORDER

The Criminal Revision is directed against the condition No.1 imposed in Cr.M.P.No.1085 of 2025 in Crl.A.No.21 of 2025 dated 12.03.2025 on the file of the Principal Sessions Court, Madurai, wherein,



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the petitioner was directed to deposit 20% of the compensation amount before the trial Court within a month.

2. The respondent has filed a private complaint under Section 200 Cr.P.C. against the petitioner for the offence under Section 138 of Negotiable Instruments Act and the learned Magistrate, after full-fledged trial, has passed a judgment in S.T.C.No.70 of 2018 dated 29.01.2025 finding the petitioner guilty for the offence under Section 138 of Negotiable Instruments Act and the petitioner was convicted and sentenced to undergo 1 year simple imprisonment and to pay compensation of Rs.11 lakhs, in default, to undergo 3 months simple imprisonment. Challenging the said conviction judgment, the petitioner has preferred an appeal in Crl.A.No.21 of 2025 and also moved an application for suspension of sentence and the learned Sessions Judge, while suspending the sentence, has imposed the impugned condition directing the petitioner to deposit 20% of the compensation amount.

3. As per Section 148 of Negotiable Instruments Act, the appellate Court can direct the accused to deposit a portion of the compensation amount and as per the said Section, the minimum amount is 20% of the



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fine or compensation awarded by the trial Court. In the present case, the learned Appellate Judge has only directed the petitioner to deposit 20% of the compensation amount, which is very much reasonable and the same cannot said to be excessive.

4. At this juncture, the learned counsel appearing for the petitioner seeks further time for complying with the directions of the learned Appellate Judge.

5. Considering the above, this Court is inclined to grant time till 21.05.2025. Accordingly, the petitioner is directed to comply with the directions of the learned Principal Sessions Judge, Madurai dated 12.03.2025 on or before 21.05.2025.

6. With the above direction, this Criminal Revision Case stands disposed of. No costs.

24.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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Note :Issue order copy on or before 05.05.2025

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K.MURALI SHANKAR,J.

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To

- 1.The Principal Sessions Judge,
Madurai.
- 2.The Judicial Magistrate,
Fast Track Court No.1,
Madurai.

Order made in
Crl.R.C.(MD)No.529 of 2025

Dated: 24.04.2025