



Crl.R.C.(MD)No.1108 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.1108 of 2025
and
Crl.M.P(MD) No.11092 of 2025

M.Thiraviypandiayan

... Petitioner

Vs.

O.Arjunan

... Respondent

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the records pertaining to the order in Crl.M.P.No. 1323 of 2025 in Crl.A. No.36 of 2025 on the file of the Principal Sessions Judge, Madurai, Madurai District, dated 18.03.2025 to set aside the same as illegal by allowing this Criminal Revision Petition.

For Petitioner : Mr.M.Gopika

For Respondent : Mr.R.L.Dhilipan Pandian



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ORDER

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This Criminal Revision Case is filed challenging the order passed by the learned Principal Sessions Judge, Madurai, Madurai District, in Crl.M.P.No.1323 of 2025 in Crl.A.No.36 of 2025, dated 18.03.2025.

2. The petitioner is the accused in S.T.C.No.347 of 2017 on the file of the learned Judicial Magistrate No.II / Fast Track Court at Magisterial Level, Madurai. By judgment, dated 24.01.2025, the petitioner was convicted and sentenced to undergo one year simple imprisonment and directed to pay compensation of Rs.29,00,000/-. Aggrieved by the said conviction and sentence, the petitioner preferred a Criminal Appeal in Crl.A.No.36 of 2025 before the learned Principal Sessions Judge, Madurai. Along with the said appeal, the petitioner also filed an application under Section 430(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, in Crl.M.P.No.1323 of 2025, seeking suspension of sentence pending disposal of the appeal.



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3. However, the learned Principal Sessions Judge, by order dated 18.03.2025, passed the impugned order, directing the petitioner to deposit 20% of the compensation amount before the learned Judicial Magistrate No.II / Fast Track Court at Magisterial Level, Madurai, within a period of one month. Challenging the said order, the petitioner has filed the present Criminal Revision Case.

4. The learned counsel for the petitioner, Ms.Gopika, submitted that without looking into the circumstances to exempt him from depositing 20% of the compensation as contemplated under Section 148 of the Negotiable Instrument Act, the learned Principal Sessions Judge, Madurai had proceeded to pass an order, directing the petitioner to deposit the said amount. The petitioner is a senior citizen aged about 65 years, that he had never ever received the said amount and he has an arguable case before the learned Principal Sessions Judge in the pending appeal. However, without considering the same, the learned Sessions Judge had directed the petitioner to deposit 20% of the compensation amount and hence, the learned counsel for the petitioner prayed for allowing the Criminal Revision Case.



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5. The learned counsel for the respondent submitted that the case is of the year 2016 and it came to be disposed of only in the year 2025 and it was dragged for the past nine years before the trial Court by the petitioner without giving quietus to issue. That apart, he also pointed out that the statutory notice issued to the petitioner was not duly responded or replied and he had also not let in any evidence to prove his innocence and on that ground, the learned counsel pressed for dismissal of the Criminal Revision Case.

6. Heard the learned counsel for the petitioner and the learned counsel for the respondent and carefully perused the materials available on record.

7. A careful perusal of the impugned order would make it clear that the petitioner failed to advance any valid reason for seeking exemption from depositing 20% of compensation amount as contemplated under Section 148 of the Negotiable Instrument Act. Even before this Court, apart from contending that he is a senior citizen, the learned counsel for the petitioner did not put forth any convincing



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argument to substantiate his claim for exemption from such deposit under the said provision. Accordingly, this Criminal Revision Case is dismissed. Consequently, connected Miscellaneous Petition is closed.

20.08.2025

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To

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI,J.

Indu

Order made in
Crl.R.C.(MD)No.1108 of 2025

Dated: 20.08.2025