



CrI.O.P.(MD) No.15418 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.(MD) No.15418 of 2025

P.Dhamotharan

... Petitioner

-VS-

K.Madhivanan

... Respondent

Prayer: Criminal original petition is filed under Section 528 of B.N.S.S., to call for the records to set aside the impugned order dated 18.08.2025 in CrI.M.P.No. 1374/2025 in CrI.M.P.No.951/2025 in C.A.No.150/2025 on the file of the District and Sessions Judge, Karur in respect of directing the petitioner to deposit 25% compensation as fixed by the learned trial Court and modify the same as 10% compensation as fixed by the trial Court.

For Petitioner : Mr.B.Prasanna Vinoth

For Respondent : Mr.R.Ilayaraja



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ORDER

This petition has been filed to set aside the impugned order, dated 18.08.2025 in CrI.M.P.No.1374/2025 in CrI.M.P.No.951/2025 in C.A.No. 150/2025 on the file of the learned District and Sessions Judge, Karur in respect of directing the petitioner to deposit 25% compensation as fixed by the learned trial Court and modify the same as 10% compensation.

2. The petitioner, who was convicted for the offence under Section 138 of Negotiable Instrument Act, has preferred an appeal before the learned District and Sessions Judge, Karur, in C.A.No.150 of 2025. The petitioner was directed to pay 25% of the cheque amount under Section 148(2) of Negotiable Instrument Act pending appeal, within a period of 60 days from 20.06.2025. Since the petitioner did not make the payment within 60 days, he sought for extension of time in CrI.M.P.No.1374 of 2025 and the same was dismissed vide order dated 18.08.2025. Therefore, the petitioner has challenged the above order.



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3. The learned counsel for the petitioner would submit that the learned Judge ought not to have directed the petitioner to deposit of 25% and it is contrary to the judgment of the Hon'ble Supreme Court.

4. The learned counsel for the respondent, however, would submit that the petitioner has not challenged the order, by which the learned Judge imposed the condition but has only challenged the order refusing the extension of time sought by the petitioner.

5. Admittedly, the petitioner has not challenged the order imposing the condition and hence, this Court is not inclined to interfere with the said order. However, considering the request of the petitioner, the time granted by the learned District and Sessions Judge, Karur, to deposit 25% of the amount is extended up to 30.12.2025. The other conditions imposed by the learned Sessions Judge shall remain unaltered.



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6. With the above direction, this Criminal Original Petition is disposed of.

21.11.2025

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

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To:

The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.



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SUNDER MOHAN, J.

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