

Crl.R.C(MD)No.1324 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.10.2025**

CORAM

THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

CRL.R.C.(MD)No.1324 of 2025

and

CrI.M.P.(MD)No.14229 of 2025

P.Sundaramoorthy,
S/o.Paraman,
Door No.1/210, South Street,
Nilaiyur,
Madurai – 5.

... Petitioner

vs.

R.Alagarsamy,
S/o.Rajaayya,
Door No.402/2/1, Rajaayyan Illam,
Old Murugan Talkies 6th Street,
Thiruvalluvar Nagar,
Palanganathan Post,
Madurai – 3.

... Respondent

PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to call for the records from the Lower Court and set aside the order dated 15.09.2025 in Cr.M.P.No.3995 of 2025 in CrI.A.No.137 of 2025 passed by the learned Principal Sessions Judge, Madurai for dispensing the Petitioner from depositing the 20% of the



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amount ie., (Rs.2,00,000/-) against the judgment in S.T.C.No.130 of 2020 dated 13.08.2025 on the file of the learned Judicial Magistrate No.II, Fast Track Court at Magistrate Level, Madurai by modifying the condition imposed on the Petitioner passed by the learned Principal Sessions Judge, Madurai, by allowing the Revision.

For Petitioner : Mr.R.Aravindan

ORDER

Heard Mr.R.Aravindan, learned counsel appearing for the Petitioner. Since the Criminal Revision Petition is disposed of at the admission stage itself and in view of the order to be passed in this petition, notice to the Respondent is dispensed with.

2. This Criminal Revision Petition has been filed by the petitioner to set aside the order dated 15.09.2025 in Cr.M.P.No.3995 of 2025 in CrI.A.No.137 of 2025 passed by the learned Principal Sessions Judge, Madurai for dispensing the Petitioner from depositing 20% of the amount ie., (Rs.2,00,000/-) against the judgment in S.T.C.No.130 of 2020 dated



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13.08.2025 on the file of the learned Judicial Magistrate No.II, Fast Track Court at Magistrate Level, Madurai, by modifying the condition imposed on the Petitioner passed by the learned Principal Sessions Judge, Madurai.

3. The facts of the case in a nutshell, led to filing of this Criminal Revision Petition and necessary for disposal of the same, are as follows:-

a) The Petitioner was convicted and sentenced for the offence under Section 138 of the Negotiable Instruments Act, by the learned Judicial Magistrate No.II, Fast Track Court at Magistrate Level, Madurai, in S.T.C.No.130 of 2020, by the judgment dated 13.08.2025, to undergo simple imprisonment for one year and to pay a compensation to the tune of Rs.10,00,000/- towards the cheque amount, to the Respondent, in default of payment of the said compensation amount, to undergo further period of simple imprisonment for three months. Aggrieved by the order of the Trial Court, the Revision Petitioner filed Cr.M.P.No.3995 of 2025 in C.A.No.137 of 2025 seeking suspension of sentence before the learned Principal Sessions Judge, Madurai.



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b) The learned Principal Sessions Judge, Madurai, vide order dated

15.09.2025 was pleased to suspend the sentence and enlarge the

Petitioner on bail with the following conditions:

“1.The Petitioner is directed to deposit 20% of the compensation amount to the Respondent before the learned Judicial Magistrate No.II, FTC at Magistrate Level, Madurai within a month.

2. Thereafter, the Petitioner should execute a bond for Rs.10,000/- with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate No.II, FTC at Magisterial Level, Madurai.

3. The Petitioner/accused should appear before the IV Additional District and Sessions Judge, Madurai on 15.10.2025 and on further hearings without fail.”

Aggrieved by the same, the present Criminal Revision Petition has been filed to set aside the order dated 15.09.2025 in Cr.M.P.No.3995 of 2025 in CrI.A.No.137 of 2025 passed by the learned Principal Sessions Judge, Madurai for dispensing the Petitioner from depositing 20% of the amount ie., (Rs.2,00,000/-), against the judgment in S.T.C.No.130 of 2020 dated 13.08.2025 on the file of the learned Judicial Magistrate



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No.II, Fast Track Court at Magistrate Level, Madurai by modifying the condition imposed on the Petitioner passed by the learned Principal Sessions Judge, Madurai.

4. Mr.R.Aravindan, learned counsel appearing for the Petitioner submits that the Petitioner is undergoing financial distress, and, as a result, he was unable to deposit 20% of the compensation amount as directed by the lower Appellate Court within the stipulated time. The learned counsel further submits that, in the present petition, the Petitioner is confining his prayer to the limited extent of seeking a direction from this Court permitting the Petitioner to deposit the said amount within a time frame to be fixed by this Court.

5. Accordingly, without going into the merits of the case and on the request made by the learned Counsel for the Petitioner that the Petitioner is ready to deposit 20% of the compensation amount as per the direction passed by the learned Principal Sessions Judge, Madurai vide order dated 15.09.2025 in Cr.M.P.No.3995 of 2025 in CrI.A.No.137 of



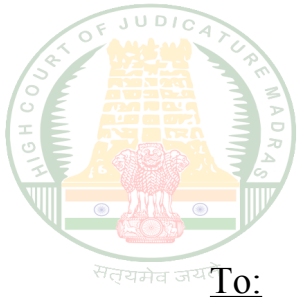
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2025, this Court grants a period of 45 days from today, as a final opportunity, to the Petitioner to comply with Condition No. (i) of the order dated 15.09.2025 passed by the lower Appellate Court, without fail. Till such time, no coercive action shall be taken against the Petitioner. It is hereby made clear that if the petitioner fails to deposit the said amount within the time stipulated by this Court, the Trial Court shall be at liberty to proceed with the matter in accordance with law.

6. With the above observations, this Criminal Revision Petition is **disposed of**. Consequently, connected miscellaneous petition stands closed.

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

14.10.2025



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To:
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1. The Principal Sessions Judge, Madurai.
2. The Judicial Magistrate No.II,
Fast Track Court at Magistrate Level, Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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SHAMIM AHMED, J.

Nsr

Order made in
CrI.R.C(MD)No.1324 of 2025

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