



CrI.O.P.(MD)No.19944 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.(MD).No.19944 of 2025

Sathiyaselvi

... Petitioner

Vs.

Thiyagarajan

... Respondent

Prayer: Criminal Original Petition filed under Section 528 of BNSS, 2023, to set aside the condition imposed in paragraph No.6(2) with regard to the time limit and extend the time limit to deposit the amount, as per the condition imposed by the learned III Additional District and Session Judge, Thiruchirappalli in CrI.M.P.No.1806 of 2025 in CrI.A.No.46 of 2025 by an order dated 10.07.2025.

For Petitioner : Mr.M.Vijaya Ragavan

ORDER

The petitioner seeks to set aside the condition imposed in paragraph No. 6(2) in CrI.M.P.No.1806 of 2025 in CrI.A.No.46 of 2025 by the learned III Additional District and Session Judge, Thiruchirappalli, by an order, dated 10.07.2025.



Crl.O.P.(MD)No.19944 of 2025

2. The petitioner, who was an accused in a case in S.T.C.No.6089 of 2019 filed for the offence under Section 138 r/w. 142 of Negotiable Instrument Act, 1881, was convicted and sentenced to undergo six months Simple Imprisonment and further directed to pay a compensation of Rs.4,00,000/-, aggrieved over the same, he filed an appeal before the III Additional District and Sessions Court, Thiruchirappalli in Crl.A.No.46 of 2025.

3. The learned III Additional District and Sessions Judge, Thiruchirappalli, in a petition in Cr.M.P.No.1806 of 2025, which was filed to suspend the sentence imposed on the petitioner in S.T.C.No.6089 of 2019, directed the petitioner to deposit Rs.80,000/- being 20% of the compensation amount, within period of 60 days from the date of that order. It appears that the petitioner had not made the said deposit within the period of 60 days and sought for extension, which was not taken on file by the III Additional District and Sessions Court, Thiruchirappalli.

4. According to the learned counsel for the petitioner, she could not arrange the funds within the stipulated time. This Court is of the *prima facie* view that the reason stated for disobeying the condition imposed by learned Judge may not be justified. However, since the appeal is pending, this Court is



Crl.O.P.(MD)No.19944 of 2025

inclined to grant one more opportunity to the petitioner and therefore, issue the following directions:

(i) the petitioner shall deposit a sum of Rs.1,00,000/- within the period of two weeks from the date of receipt of a copy of this order and on such deposit, the suspension order already granted by the Court, vide order dated 10.07.2025, would be stand made absolute, failing which, the order passed by this Court shall lose its efficacy.

5. With the above directions, this Criminal Original Petition is disposed of.

12.11.2025

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

Indu

Note: Issue order copy on 13.11.2025.

To

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

3/4



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Crl.O.P.(MD)No.19944 of 2025

SUNDER MOHAN, J.

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Crl.O.P(MD).No.19944 of 2025

12.11.2025