



Crl.OP(MD)No.23082 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).No.23082 of 2025

and

Crl.M.P.(MD).No.19987 of 2025

King Natural Extracts,
rep. by its Proprietor Indumathi,
W/o.I.K.Ramasubramanian
Door No.361, Thiruvananthapuram Street,
Rajapalayam Town,
Virudhunagar District.

... Petitioner

Vs.

Hathiram Traders,
Rep. by its Proprietor A.Ragusankar,
S/o.Arjunaraja,
Door No.153B/106, Madasamy Koil Street,
Rajapalayam Town,
Virudhunagar District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the impugned order passed in Cr.M.P.No.3761 of 2025 in C.A.No.188 of 2025 by the learned



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Principal District and Sessions Judge, Srivilliputtur, Virudhunagar District, dated 13.11.2025 and set aside the same and consequently, to direct the learned Judicial Magistrate (Fast Track Court)l, Srivilliputtur to accept Rs.1,00,000/- is 20% to cheque alleged amount to the tune of Rs.5,00,000/- in S.T.C.No.394 of 2023 on the file of the learned Judicial Magistrate, Fast Track Court, Srivilliputtur.

For Petitioner : Mr.Kannan Gurusami

ORDER

Seeking to set aside the impugned order passed in Cr.M.P.No. 3761 of 2025 in C.A.No.188 of 2025 by the learned Principal District and Sessions Judge, Srivilliputtur, Virudhunagar District, dated 13.11.2025 and consequently, to direct the learned Judicial Magistrate (Fast Track Court)l, Srivilliputtur to accept Rs.1,00,000/- is 20% to cheque alleged amount to the tune of Rs.5,00,000/- in S.T.C.No.394 of 2023 on the file of the learned Judicial Magistrate, Fast Track Court, Srivilliputtur, this petition is filed.



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2. Considering the limited scope of the relief sought for, notice to the respondent is dispensed with

3.The learned counsel appearing for the petitioner submitted that he is arrayed as accused in S.T.C.No.394 of 2023 on the file of the learned Judicial Magistrate (Fast Track Court), Srivilliputtur. After a full-fledged trial, he was convicted and sentenced to one year simple imprisonment and also directed to pay a compensation of Rs.5,00,000/- to the complainant at the rate of 12% per annum. Challenging the same, the petitioner preferred an appeal in C.A.No.188 of 2025 on the file of the learned Principal District and Sessions Judge, Virudhunagar District, at Srivilliputtur and the learned trial Judge allowed the suspension of the petitioner's sentence in Cr.M.P.No.3761 of 2025 in S.T.C.No.394 of 2023 with a direction to the petitioner to deposit a sum of Rs.2,00,000/- before the trial Court within 30 days.He further submitted that the learned trial Judge failed to note that the alleged cheque amount was Rs.5,00,000/-, and erroneously passed an order calculating the cheque amount at Rs.10,00,000/- with 20% interest and



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directed the petitioner to deposit Rs.2,00,000/-. Hence, he sought the indulgence of this Court to modify the order.

4.A careful perusal of the impugned order would make it clear that the Appellate Court had directed the petitioner to deposit a sum of Rs.2,00,000/- before the trial Court within 30 days. Further, the learned counsel for the petitioner drew my attention to the order of conviction passed by the Learned Trial Court in which, one year simple imprisonment and had further directed the petitioner to pay compensation of Rs.5,00,000 to the complainant at a rate of 12% per annum from the date of check until realization not exceeding Rs.10,00,000 being double the check amount to the complainant under Section 357(3) Cr.P.C. Then the Criminal Appellate Court had directed the petitioner to pay Rs.2,00,000/-.

5.In view of the submission made by the learned counsel for the petitioner, this Court is inclined to modify the condition as follows:



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*“i)The petitioner shall deposit a sum of Rs.
1,00,000/- (Rupees One Lakh only) before the
trial Court within a period of two weeks”*

The other portions of the order remain intact.

6.With the above modification, this Criminal Original Petition is disposed of. Consequently, the connected Criminal Miscellaneous Petition is closed.

16.12.2025

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

- 1.The Principal District and Sessions Judge,
Srivilliputtur, Virudhunagar District.
- 2.The Judicial Magistrate (Fast Track Court),
Srivilliputtur.



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L.VICTORIA GOWRI, J.

vsg

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