



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

Crl. O.P. No.1251 of 2026

Sridhar PR

..Petitioner

Vs

N.Kamalanathan

..Respondent

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita to set aside the order of the Lower Appellate Court dated 24.11.2025 passed in Crl.M.P.No.2 of 2025 in Crl. A.No.1404 of 2025 on the file of the learned XVIII Additional Judge, City Civil Court, Chennai namely the direction to the petitioner to deposit 20 percentage of the compensation amount.

For Petitioner:

Mr.Suriyamuthu N



ORDER

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The present Criminal Original Petition has been filed seeking to set aside the order passed by the XVIII Additional Judge, City Civil Court, Chennai dated 24.11.2025, in Crl.M.P.No.2 of 2025 in Crl. A.No.1404 of 2025.

2. The brief facts of the case are as follows :-

2.1. The complaint under Section 138 of the Negotiable Instruments Act was filed by the respondent against the petitioner before the learned Metropolitan Magistrate, FTC-II, Allikulam, Chennai, in S.T.C.No.3610 of 2025.

2.2. On 27.10.2025, the trial Court found the petitioner/accused guilty, convicted him and sentenced him to undergo six months simple imprisonment and further directed him to pay the cheque amount of Rs.4,50,000/- as compensation, in default to undergo two months simple imprisonment.

2.3. Against the said judgment, the petitioner preferred an appeal in Crl.A.No.1404 of 2025 along with a petition in Crl.M.P.No.2 of 2025 seeking suspension of sentence. On 24.11.2025, the learned XVIII Additional Judge, City Civil Court, Chennai, while suspending the sentence imposed on the petitioner, directed him to deposit 20 % of the compensation amount before the



trial Court within sixty days from the date of the said order. Aggrieved by the same, the present petition has been filed.

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3. Learned counsel appearing for the petitioner submitted that due to ongoing psychiatric condition and medical treatment, the petitioner is unable to mobilize the amount. He further submitted that the petitioner has a good and meritorious case in appeal. Therefore, he prayed that the order directing the petitioner to deposit 20 % of the compensation amount may be modified.

4. Having heard the learned counsel for the petitioner and perused the materials available on record, this Court is of the view that the appellate Court, while holding that the petitioner/appellant has made out arguable points in the main appeal, has suspended the sentence and imposed certain conditions. However, taking into account the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner that there are arguable grounds in the appeal and that he has a good case on merits, this Court is inclined to modify condition imposed by the appellate Court in Crl.M.P.No.2 of 2025 in Crl. A.No.1404 of 2025 vide order dated 24.11.2025. Accordingly, the direction to deposit 20 % of the compensation amount is hereby modified as 10 %. It is also made clear that all other conditions remain unaltered.



5. At this juncture, the learned counsel appearing for the petitioner prayed that some reasonable time may be granted to the petitioner to comply with the said condition.

6. Accordingly, the petitioner is directed to deposit 10 % of the compensation amount before the trial Court within a period of **four weeks** from the date of receipt of a copy of this order.

7. With the above directions, this Criminal Original Petition stands disposed of.

22-01-2026

Neutral Citation: Yes/No
MRN

To

1.The Metropolitan Magistrate,
FTC-II, Allikulam,
Chennai.

2.The XVIII Additional Judge,
City Civil Court,
Chennai.



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A.D.JAGADISH CHANDIRA, J.

MRN

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