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CRL OP No. 2764 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

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

**CRL OP No. 2764 of 2026
and Crl.M.P.No.1878 of 2026**

Rajeswari Pugalendhi
Proprietor, The Grand Sweets and Snacks,
No.45, Spur Tank Road,
Chetpet, Chennai-600 031

..Petitioner(s)

Vs

Srinivasan
Proprietor, Thiru Balaji Enterprises,
Old No.16/2, New No.56,
Jani Basha Lane, Royapettah,
Chennai-60014

..Respondent(s)

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 of Cr.P.C., to call for the records relating to order dated 24.11.2025 passed in Crl.M.P.No.1/2025 in Crl A.No.1402/2025 on the file of the Learned XVII Additional District and Sessions Court at Chennai and to set aside/modify the condition in para (ii) directing the petitioner to deposit 20% of the compensation amount under Section 138 N.I. Act within 60 days.



For Petitioner(s): Mr.N.Vijayaraj

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ORDER

This Criminal Original Petition has been filed seeking to set aside the order passed by the XVII Additional District and Sessions Court, Chennai, dated 24.11.2025, in CrI.M.P.No.1 of 2025 in CrI.A.No.1402 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 XXV Metropolitan Magistrate, Egmore, in S.T.C.No.9556 of 2024.

2.2. On 25.10.2025, the trial Court found the petitioner/accused guilty, convicted her and sentenced her to undergo six months simple imprisonment and further directed her to pay the cheque amount of Rs.29,40,000/- as compensation, in default to undergo three months simple imprisonment.

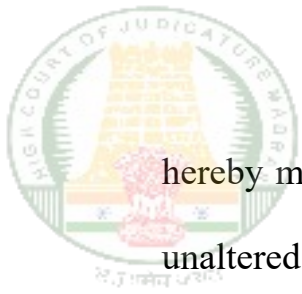
2.3. Against the said judgment, the petitioner preferred an appeal in CrI.A.No.1402 of 2025 along with a petition in CrI.M.P.No.1 of 2025 seeking suspension of sentence. On 24.11.2025, the XVII Additional District and Sessions Judge, Chennai, while suspending the sentence imposed on the



petitioner, vide condition 4(ii) of the order, directed her 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.

3. Learned counsel appearing for the petitioner submitted that the petitioner, who is a septuagenarian, is suffering from various medical ailments and 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 set aside.

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 she has a good case on merits, this Court is inclined to modify condition 4(ii) imposed by the appellate Court in Crl.M.P.No.1 of 2025 in Crl.A.No.1402 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.

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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.

09-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VKR



To

1. The XVII Additional District and Sessions Court at Chennai.
2. The XXV Metropolitan Magistrate, Egmore.
3. The Public Prosecutor, High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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