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CRL OP No. 5380 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE **MR JUSTICE M. NIRMAL KUMAR**

CRL OP No. 5380 of 2026

P.Raja

..Petitioner

Vs

A.Sakkarai Traders  
Represented by its  
Proprietor A.Sacharaias Alias Sakkarai,  
B-93, D-1, E-36, Periyar Veg. Market,  
Koyambedu, Chennai - 600 092.

..Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the conditional order dated 19.12.2025 in Crl.M.P.No.1 of 2025 in C.A.No.1531 of 2025 on the file of XV Additional Sessions Court, Chennai, as a petitioner to deposit 20 percentage of the compensation amount before the trial Court at the credit of S.T.C.No.12904 of 2023 on the file of XXXV Metropolitan Magistrate Court (FTC-I), Egmore, Chennai.

For Petitioner : Mr.R.Gunasekaran

### ORDER

The petitioner, who was the accused in STC.No.12904 of 2023 filed by the respondent, was convicted by the trial court on 17.11.2025. Aggrieved by the said conviction, the petitioner preferred an appeal in C.A.No.1531 of 2025



and also filed M.P.No.1 of 2025 seeking suspension of sentence before the XV Additional Sessions Court, Chennai.

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2. The learned Sessions Judge, by order dated 19.12.2025, suspended the sentence subject to certain conditions. One of the conditions imposed was that the petitioner/accused shall deposit 20% of the cheque amount before the trial Court to the credit of STC.No.12904 of 2023 within thirty days from the date of the order.

3. The learned counsel for the petitioner submitted that the petitioner was unable to mobilise the funds within the stipulated period. However, he is now ready to deposit the said amount. A copy of Demand Draft No.879530 dated 31.01.2026 for a sum of Rs.7,00,000/~, drawn on Kotak Mahindra Bank, Anna Nagar Branch, in favour of the Chief Metropolitan Magistrate, has been produced before this Court.

4. In view of the submissions made, the order dated 19.12.2025 passed in M.P.No.1 of 2025 in C.A.No.1531 of 2025 on the file of the XV Additional Sessions Court, Chennai, is modified insofar as the condition directing the petitioner to deposit 20% of the compensation amount within thirty days. The said condition is now modified to the effect that the petitioner shall deposit the amount within two weeks from the date of receipt of a copy of this order. All



other conditions imposed by the Sessions Court shall remain intact.

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5. With the above modification, this Criminal Original Petition stands disposed of.

**12-03-2026**

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SRM

To

1. The XV Additional Sessions Judge,  
Chennai.
2. The XXXV Metropolitan Magistrate,  
Fast Track Court No.I,  
Egmore,  
Chennai.



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**M.NIRMAL KUMAR, J.**

SRM

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