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CRL OP No. 7094 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 23-03-2026**

CORAM

**THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR**

**CRL OP No. 7094 of 2026**

**&**

**Crl.M.P. No. 5155 of 2026**

K Madasamy @ Madasamy Pandiyan  
S/o. Kumarasamy,  
New NO.302, AD Block, 1st Floor, 10th  
Main Road, Anna Nagar,  
Chennai 600 040.

Petitioner(s)

Vs

K Chandran  
S/o. Karuppiah,  
No.6/14, Parvathi Nagar,  
2nd Street, Selavoyal,  
Madhavaram Milk Colony Post, Chennai  
600 051.

Respondent(s)

**PRAYER**

Criminal Original Petition filed under Section 528 of BNSS to set aside the condition imposed on the petitioner by the learned VI Additional City Civil Court, Chennai by order dated 03.01.2026 passed in Crl.M.P. No. 81 of 2026 in Crl.A.No. 1536 of 2025 in CC.No. 9137 of 2018 on the file of the learned XIX Metropolitan



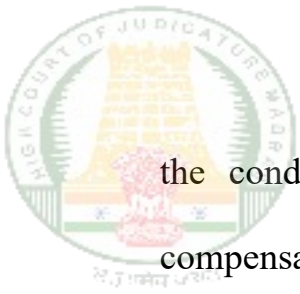
Magistrate, Egmore @ Allikulam, Chennai.

For Petitioner(s): Mr. J.Pravin (VC)

**ORDER**

The present criminal original petition is filed to set aside the condition imposed on the petitioner regarding deposit of 20% of the compensation amount by the learned VI Additional City Civil Court, Chennai by order dated 03.01.2026 in Crl.M.P. No. 81 of 2026 in Crl.A.No. 1536 of 2025 in CC.No. 9137 of 2018 on the file of the learned XIX Metropolitan Magistrate, Egmore @ Allikulam, Chennai.

2. The petitioner/accused was convicted by the Trial Court by judgment dated 18.11.2025 in C.C. No. 9137 of 2018 for the offence under Section 138 of Negotiable Instruments Act and sentenced to undergo simple imprisonment for one year and to pay a sum of Rs.60,00,000/- as compensation within two months and in default, to undergo simple imprisonment for two months. Aggrieved by the said conviction and sentence, the petitioner preferred Crl.A. No. 1536 of 2025 before the learned VI Additional City Civil Court, Chennai. Pending the appeal, the petitioner filed Crl.M.P. No. 81 of 2026 seeking suspension of sentence and by the order under challenge, the said petition was allowed on certain conditions. One of



the conditions imposed was that the petitioner had to deposit 20% of the compensation amount to the credit of C.C. No. 9137 of 2018 before the Trial Court within a period of 60 days from the date of that order. To set aside the said condition, the petitioner has come forward with the criminal original petition.

3. The contention of the learned counsel for the petitioner is that the respondent, apart from filing a complaint under Section 138 of Negotiable Instruments Act, had also filed a criminal case against the petitioner, which came to be registered in Crime No. 172 of 2015 on the file of the Inspector of Police, Central Crime Branch II, EDF III, Vepery, Chennai and when the petitioner was granted bail in the said case, he was directed to pay a sum of Rs.13,50,000/- to the respondent/complainant by the learned Principal District and Sessions Judge, Thiruvallur, which was accordingly paid by way of Demand Draft. According to the learned counsel, though the receipt of the amount of Rs.13,50,000/- by the respondent/complainant by way of Demand Draft finds place in the impugned order, the same has not been given due credit while directing the petitioner to deposit 20% of the compensation amount. Hence, the learned counsel for the petitioner seeks suitable modification of condition regarding deposit.

4. Considered the submissions and perused the materials on record.



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5. Admittedly, the petitioner has paid a sum of Rs.13,50,000/- to the respondent/complainant. Therefore, after giving due credit to the amount paid, (Rs.60,00,000/- (-) Rs.13,50,000/-), the compensation amount payable by the petitioner would be Rs.46,50,000/- (Rupees Forty Six Lakhs Fifty Thousand only). Out of the said sum, the petitioner is directed to deposit 20%, i.e., 20% of Rs.46,50,000/-, which comes to Rs.9,30,000/- (Rupees Nine Lakhs Thirty Thousand only) to the credit of C.C. No. 9137 of 2018 before the Trial Court within a period of two weeks from today failing which this order would stand automatically cancelled.

6. The criminal original petition is disposed of accordingly. Connected criminal miscellaneous petition is closed.

**23-03-2026**

Neutral Citation:Yes/No

nv  
(Note to Office: Issue order copy  
on **24.03.2026**)



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To

1. The VI Additional City Civil Court, Chennai.
2. The XIX Metropolitan Magistrate,  
Egmore @ Allikulam,  
Chennai.



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**M.NIRMAL KUMAR J.**

nv

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