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Crl.O.P.No.4425 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2026

CORAM:

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

Crl.O.P.No.4425 of 2026

Shanmugaraj Murali Sundaram

...Petitioner

Vs.

M/s. Reddington (India) Ltd.,  
Rep. by Mr.M.Sundararajan,  
Senior Legal Executive,  
SPL Guindy House,  
95, Mount Road, Guindy, Chennai – 600 032.

...Respondent

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, (BNSS), 2023, to set aside and modify the condition imposed on the petitioner in “Para 7 of the order, directing the petitioner to deposit Rs.9,88,228/- (i.e) the 15% of 1/3rd cheque amount as the compensation amount to the credit of S.T.C. Number on the file of the Trial court within sixty days from the date of the order” passed in Crl.M.P.No.1 of 2026 in Crl.A.No.16 of 2026 dated 05.01.2026, on the file of the II Additional City Civil Court, Chennai.

For Petitioner : Mr.V.Illanchezian



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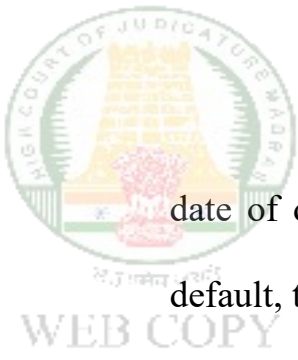
## **ORDER**

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This criminal original petition has been filed by the petitioner/accused seeking to modify the condition imposed by the II Additional City Civil Court, Chennai at Para 7 of the order dated 05.01.2026 made in Crl.M.P.No.1 of 2026 in Crl.A.No.16 of 2026, directing the petitioner to deposit a sum of Rs.9,88,228/- (i.e) the 15% of 1/3rd of the cheque amount to the credit of S.T.C.No.863 of 2018 on the file of the Trial court.

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

2.1 The respondent/complainant initiated proceedings under Sections 138 and 141 of the Negotiable Instruments Act (in short 'NI Act') against the petitioner/accused and other accused persons in S.T.C.No.863 of 2018 before the learned Metropolitan Magistrate, FTC-V, Saidapet, Chennai and the trial court, vide order dated 06.12.2025, found the petitioner and other accused persons guilty for the offence under Section 138 of the Negotiable Instruments Act and convicted them for the said offence and sentenced them to undergo one year simple imprisonment and further directed them to jointly pay the total cheque amounts ie., Rs.1,97,64,566/- as compensation in favour of the respondent/complainant, within a period of one month from the date of the said order, along with 6% interest from the



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date of dishonour of the case cheques till the date of re-payment, and in default, to undergo simple imprisonment for a further period of six months.

2.2 Aggrieved by the same, the petitioner preferred an appeal in Crl.A.No.16 of 2026 along with a petition in Crl.M.P.No.1 of 2026, seeking suspension of sentence. The II Additional City Civil Court, Chennai, vide order dated 05.01.2026, while suspending the sentence imposed on the petitioner, directed him to deposit a sum of Rs.9,88,228/- (i.e) the 15% of 1/3rd of the cheque amount to the credit of S.T.C.No.863 of 2018 before the learned Metropolitan Magistrate, FTC-V, Saidapet, Chennai on or before 23.01.2026. Challenging the same, the petitioner has come up with the present petition.

3. Learned counsel for the petitioner submitted that the petitioner was not the Director of the accused company during the relevant period of time and he was relieved from service as early as on 30.03.2016 and the trial court had miserably failed consider the said fact and convicted the petitioner for the offence under Section 138 of the NI Act, which is not sustainable. He further submitted that he has a good and meritorious case in appeal. Therefore, he prayed that the condition imposed by the Appellate Court, vide impugned order directing the petitioner to deposit a sum of

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Rs.9,88,228/- (i.e) the 15% of 1/3rd of the cheque amount to the credit of S.T.C.No.863 of 2018 before the learned Metropolitan Magistrate, FTC-V, Saidapet, Chennai may be modified.

4. Having heard the learned counsel for the petitioner and having perused the materials available on record and considering that the condition qua deposit of Rs.9,88,228/- (i.e) the 15% of 1/3rd of the cheque amount to the credit of S.T.C.No.863 of 2018 before the learned Metropolitan Magistrate, FTC-V, Saidapet, Chennai imposed by the Appellate Court in Crl.M.P.No.1 of 2026 in Crl.A.No.16 of 2026, vide order dated 05.01.2026, is a bit onerous, the said condition is hereby modified to the following effect.

5. Accordingly, the petitioner is directed to deposit 7.5% of 1/3rd of the cheque amount to the credit of S.T.C.No.863 of 2018 before the learned Metropolitan Magistrate, FTC-V, Saidapet, Chennai, within a period of four (4) weeks from the date of receipt of a copy of this order. It is also made clear that all other conditions made in the impugned order shall remain unaltered.



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6. With the above directions and modification, this criminal original petition stands disposed of.

**23.02.2026**

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Neutral Citation: Yes/No

To:

1. The III Additional Judge (FAC),  
II Additional City Civil Court,  
Chennai.
2. The Metropolitan Magistrate, FTC-V,  
Saidapet, Chennai.



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**A.D.JAGADISH CHANDIRA, J.**

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