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CRL OP No. 4499 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 4499 of 2026

K.Ramesh

..Petitioner(s)

Vs

M.Banumathi

..Respondent(s)

Criminal Original Petition is filed under Section 528 of B.N.S.S., to modify the condition that the petitioner shall deposit 20 % of the compensation amount before the trial court at credit of C.C. within thirty days from the date of order imposed in CrI.MP.No.1/2025 in C.A.No.1514/2025 by order dated 19.12.2025 before the learned XV Additonal Sessions Judge, Chennai.

For Petitioner(s):

Mr.P.K.Rajangam

ORDER

The present Criminal Original Petition has been filed seeking to modify the condition imposed by the XV Additional Sessions Judge, Chennai, dated 19.12.2025, in CrI.M.P.No.01 of 2025 in CrI.A.No.1514 of 2025.

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

2.1. A complaint under Section 138 of the Negotiable Instruments Act was filed by the respondent against the petitioner before the



learned XXVII Metropolitan Magistrate, Saidapet, Chennai, in C.C.No.967 of 2017.

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2.2. On 18.11.2025, the trial Court found the petitioner/accused guilty, convicted him and sentenced him to undergo one year simple imprisonment and further directed him to pay the cheque amount of Rs.6,00,000/- as compensation, in default to undergo three months simple imprisonment.

2.3. Against the said judgment, the petitioner preferred an appeal in Crl.A.No.1514 of 2025 along with a petition in Crl.M.P.No.01 of 2025 seeking suspension of sentence. On 19.12.2025, the learned XV Additional Sessions Judge, Chennai, while suspending the sentence imposed on the petitioner, directed him to deposit 20 % of the compensation amount before the trial Court within thirty 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 cheque amount involved is only Rs.3,00,000/-, whereas the trial Court, without assigning any reasons, had directed the petitioner to deposit a sum of Rs.6,00,000/- which is double the cheque amount. He further submitted that the petitioner has a good and meritorious case in appeal. Therefore, he prayed that the condition imposed by the trial Court directing the petitioner to deposit Rs.6,00,000/- 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 he has a good case on merits, this Court is inclined to modify condition imposed by the appellate Court in Crl.M.P.No.01 of 2025 in Crl.A.No.1514 of 2025 vide order dated 19.12.2025. Accordingly, the petitioner is directed to deposit 20 % of the cheque amount, i.e., Rs.60,000/-. 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 a sum of Rs.60,000/- (which is 20% of the cheque amount) before the trial Court within a period of **two weeks** from the date of receipt of a copy of this order and no further extension shall be granted. In the event, the petitioner fails to comply with this order, the same shall stand automatically canceled.



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

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25-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VKR

To

1.The XV Additonal Sessions Judge, Chennai.

2.The XXVII Metropolitan Magistrate, Saidapet, Chennai.



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M.NIRMAL KUMAR, J.

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