



WEB COPY

CRL OP No. 5535 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

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

CRL OP No. 5535 of 2026

B.Vasu

..Petitioner

Vs

B.Praveen Babu Sarapure

..Respondent

Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records pertaining to the order dated 05.12.2025 passed by the learned XX Additional City Civil Court at Allikulam, Chennai in CrI.M.P.No.1 of 2025 in CrI.A.No.1428 of 2025, set aside the same insofar as it relates to directing the petitioner to deposit 20 percent of the compensation amount ordered in STC No.1069 of 2021 by the learned Special Metropolitan Magistrate, XVI Small Causes Court, Chennai.

For Petitioner : Mr.S.Dinesh Babu

ORDER

This Criminal Original Petition is filed to set aside the order dated 05.12.2025 passed by the learned XX Additional City Civil Court at Allikulam, Chennai in CrI.M.P.No.1 of 2025 in CrI.A.No.1428 of 2025, directing the petitioner to deposit 20 percent of the compensation amount ordered in STC No.1069 of 2021 by the learned Special Metropolitan Magistrate, XVI Small Causes Court, Chennai.



2. The complaint under Section 138 of the Negotiable Instruments Act was filed by the respondent against the petitioner before the learned Special Metropolitan Magistrate, XVI Small Causes Court, Chennai, in S.T.C.No.1069 of 2021. On 23.10.2025, the trial Court found the petitioner/accused guilty, convicted him and sentenced him to undergo one year simple imprisonment and further directed him pay the cheque amount of Rs.40,00,000/- as compensation, in default to undergo one month simple imprisonment.

3. Aggrieved by the said judgment, the petitioner preferred an appeal in Crl.A.No.1428 of 2025 along with a petition in Crl.M.P.No.1 of 2025 seeking suspension of sentence. On 05.12.2025, the learned XX Additional Judge, City Civil Court at Allikulam, Chennai, while suspending the sentence imposed on the petitioner, directed him to deposit Rs.8,00,000/-, which is 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 is filed.

4. The learned counsel appearing for the petitioner submitted that due the petitioner's health condition and loss in business, was unable to mobilize the amount within sixty days. Now, he undertakes to deposit a sum of Rs.4,00,000/- (Rupees four lakhs only) in S.T.C.No.1069 of 2021 before the learned Special Metropolitan Magistrate, XVI Small Causes Court, Chennai, on or before 06.03.2026 and the balance of Rs.4,00,000/- (Rupees four lakhs only)



on or before 30.03.2026.

WEB COPY

5. Considering the submission of the learned counsel for the petitioner and the undertaking now given by him, this Court is inclined to grant time till 30.03.2026, to the petitioner to deposit the amount of Rs.8,00,000/- (Rupees eight lakhs only), which is 20% of the compensation amount, as ordered by the learned XX Additional Judge, City Civil Court at Allikulam, Chennai, by two installments. Accordingly, the petitioner is directed to deposit a sum of Rs.4,00,000/- (Rupees four lakhs only) in S.T.C.No.1069 of 2021 before the learned Special Metropolitan Magistrate, XVI Small Causes Court, Chennai, on or before 06.03.2026 and the balance of Rs.4,00,000/- (Rupees four lakhs only) on or before 30.03.2026. The learned Special Metropolitan Magistrate, XVI Small Causes Court, Chennai, shall receive the same. The lower appellate Court is directed to proceed with the appeal on its own merits.

6. With the above directions, this Criminal Original Petition is disposed of.

04-03-2026

Neutral Citation: Yes/No

SRM

Note: Issue order copy on 05.03.2026



WEB COPY

CRL OP No. 5535 of 2



M.NIRMAL KUMAR, J.

SRM

To

1. The XX Additional Judge,
City Civil Court at Allikulam,
Chennai.
2. The Special Metropolitan Magistrate,
XVI Small Causes Court,
Chennai.

CRL OP No. 5535 of 2026

04-03-2026