



WEB COPY

CRL OP No. 5863 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. 5863 of 2026

R.Sarala
W/o.A.Rajasekaran,
No.3G, S1, Hansa Abinav Apartments, Near Glass
Factory Road,
Thiruvottiyur,
Chennai - 600 019.

..Petitioner(s)

Vs

T.Sumathi
W/o.P.Thiyagarajan,
No.5, Veeramani Street,
Madipakkam,
Chennai - 600 091.

..Respondent(s)

PRAYER – This Criminal Original Petition has been filed under Section 528 of BNSS, to set aside the docket order in Crl.M.P.No.35 of 2026 in Crl.M.P.No.15 of 2026 in Crl.A.No.4 of 2026 dated 06.02.2026 passed by the Sessions Judge, Mahila Court at Chengalpet and modify the condition imposed in the above said order in Crl.M.P.No.15 of 2026 in Crl.A.No.4 of 2026 dated 20.01.2026 to deposit a sum of Rs.1,80,000/- before the Trial Court.

For Petitioner(s):

Mr.S.Ramachandran

ORDER

The petitioner/accused in Section 138 of Negotiable Instruments Act case filed by the respondent in C.C.No.214 of 2023 was convicted by the Trial Court by the judgment dated 24.10.2025 and the petitioner was sentenced to undergo a



Simple Imprisonment of six months and was also directed to pay a sum of Rs.9,00,000/- as compensation to the respondent/plaintiff. Aggrieved against the conviction, the petitioner has preferred a suspension of sentence petition in Crl.M.P.No.15 of 2026 in Crl.A.No.4 of 2026. The Sessions Judge, Mahila Court, Chengalpet, by an order dated 20.01.2026, allowed the suspension of sentence petition with certain conditions. One of the condition was that the petitioner is directed to deposit a sum of Rs.1,80,000/- i.e., 20% of the compensation amount (Rs.9,00,000/-) before the Trial Court within a period of one month and to appear before the Sessions Court on 19.02.2026. Aggrieved against the same, the present Criminal Original Petition has been filed.

2.The contention of the learned counsel for the petitioner is that though there are very many grounds in favour of the petitioner to show that there is no liability for the cheque issued, without going into the merits, he is now confining his prayer with regard to 20% of the compensation amount restricting to the cheque amount of Rs.7,00,000/- i.e., he is ready to deposit Rs.1,40,000/- before the Trial Court to the credit of C.C.No.214 of 2023.

3.Considering the submission made by the learned counsel for the petitioner, this Court set asides the 1st condition in the order dated 20.01.2026 with regard to compensation directing the petitioner to pay 20% of Rs.9,00,000/- and modifying the same to Rs.7,00,000/-. Hence, the petitioner is



directed to deposit a sum of Rs.1,40,000/- (Rupees One lakh and Forty Thousand only) to the credit of C.C.No.214 of 2023, pending on the file of Fast Track Court, Alandur, within a period of two weeks from the date of receipt of a copy of this order.

4.With the above direction, this Criminal Original Petition is allowed.

12-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GSA

To

- 1.The Judicial Magistrate,
Fast Track Court,
Alandur.
- 2.The Public Prosecutor,
Madras High Court.
- 3.The Sessions Judge,
Mahila Court, Chengalpattu.



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M.NIRMAL KUMAR, J.

GSA

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