



CrI.O.P.No.5191 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2026

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.5191 of 2026

and

CrI.M.P.No.3939 of 2026

1.M/s. Spencers Travels Service Ltd.,
Rep., by its Director, Geetha George

2.Geetha George

... Petitioners

Vs.

Nikhal K.Jain
Karthi of M/s. Nikhal K.Jain HUF Proprietor,
M/s.Sankeshwara Holding,
Rep., by Dixit R. Jain

... Respondent

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to set aside and to modify the condition imposed in Para 7 in CrI.M.P.No.01 of 2025 in C.A. No.103 of 2025 order dated 31.01.2025 passed by the Principal Sessions Judge, Chennai.

For Petitioners : Mr. T. Karthick Srinath
for M/S. K.M. Vijayan Associates



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ORDER

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This Criminal Original Petition has been filed to modify the condition imposed in Para 7 in Crl.M.P.No.01 of 2025 in C.A. No.103 of 2025 by order dated 31.01.2025 passed by the Principal Sessions Judge, Chennai.

2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in C.C.No.3356 of 2017 for the offence under Section 138 of Negotiable Instruments Act. The trial Court, by judgment dated 20.12.2024, convicted the petitioner and sentenced her to undergo nine months simple imprisonment and also directed her to pay compensation of Rs.25 lakhs, being the cheque amount. Aggrieved by the same, the petitioner preferred an appeal in Crl.A.No. 103 of 2025 and filed a suspension of sentence in Crl.M.P.No. 1 of 2025. The Sessions Judge by order dated 31.01.2025, suspended the sentence on condition that the petitioner shall deposit 15% of the compensation amount, which comes to Rs.3.75 lakhs before the trial Court within sixty days from the date of the said order. Aggrieved by the same, the present petition has been filed.



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3. Considering the submissions made and on perusal of the materials available on record, this Court is of the view that the petitioner is a lady and the grounds raised by the petitioner require consideration. Therefore, this Court is inclined to modify the condition by directing the petitioner to deposit 10% of the compensation amount, which comes to Rs.2,50,000/- before the trial Court within a period of four weeks from the date of receipt of a copy of this order.

4. With the above directions, this Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

06.03.2026

Neutral Citation: Yes/No

AT

To

1.The Metropolitan Magistrate FTC-IV, George Town, Chennai.

2.The Principal Sessions Judge, Chennai.



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M.NIRMAL KUMAR, J.

AT

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