



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 5999 of 2026

1. Magma Stone
Represented by its Managing Partner,
M.Ravishankar,
No.105, 2nd Floor,
17th Cross Street, 1st Block,
Rajaji Nagar, Bangaluru,
Karnataka 560 010.

2. M.Ravishankar
S/o Munusamy, No.105, 2nd Floor,
17th Cross Street, 1st Block,
Rajaji Nagar, Bangaluru,
Karnataka 560 010

Petitioner(s)

Vs

PVR Enterprises
Rep by its Managing Partner,
Mr.Ramanand, No.1117, Flat-B,
Lakshmi Apartment,
Anna Nagar West Extn. End Colony,
Mugappair, Chennai 600050.

Respondent(s)

PRAYER

This criminal original petition is preferred under section 528 of the BNSS 2023 seeking to modify conditional order passed by the Learned XXI Additional



Sessions Court at Allikulam, Chennai in Crl.MP.No.1 of 2026 in Crl.A.No.28 of 2026 dated 07.01.2026 in para no.7 and thus render justice.

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For Petitioner(s): Ms.S.Priyadharshini

For Respondent(s): Ms.R.Shakthi Priya

ORDER

This criminal original petition has been filed seeking modification of the conditional order passed by the XXI Additional Sessions Court, Allikulam, Chennai made in Crl.M.P.No.1 of 2026 in C.A.No.28 of 2026 dated 07.01.2026.

2.The learned counsel appearing for the petitioner submitted that the condition imposed by the learned XXI Additional Sessions Judge directing the petitioner to deposit 20% of the compensation amount while suspending the sentence imposed by the trial court is onerous one and the petitioner is unable to deposit the same and hence, sought for modification of the order.

3.The learned counsel appearing for the respondent/complainant opposing the said petition has submitted that in Ex.P.2 letter dated 27.04.2016, the petitioners have admitted that if any further delay in supply of blocks within 15.05.2016, they have agreed to repay the principal along with the interest and whichever damage claimed by the respondent for the one year period but the



legal notice has been issued two years thereafter in the year 2018 calling upon the petitioners to pay the amount of Rs.1 Crore. It is submitted by the learned counsel for the respondent that the trial court has rightly considered the same and passed the order and that the condition imposed by the XXI Additional Sessions Court also does not require any interference.

4.This court heard the submissions made by the learned counsel for both sides and has also perused the materials available on record. This court is of the view that at this stage, this court is not inclined to go into the veracity of the petitioners' claim and the objection of the respondent. With regard to the direction to deposit 20% of the compensation amount, it is contended that the petitioners are unable to deposit such a huge amount and there is some arguable point. In the light of the above, this court is inclined to modify the condition imposed by the XXI Additional Sessions Court at Allikulam, Chennai with regard to the condition to deposit 20% of the compensation amount alone. Instead, the petitioners are directed to deposit Rs.10,00,000/- (Rupees ten lakhs only) to the credit of C.C.No.1324 of 2020 on the file of the trial court within a period of four weeks from the date of receipt of copy of this order. Liberty is granted to the respondent complainant to withdraw the said amount on condition that the respondent shall file an undertaking affidavit stating that this will be subject to the outcome of the appeal before the XXI Additional Sessions Court at Allikulam, Chennai.



5. With the above modification and liberty, this criminal original petition is disposed of. No costs.

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22-04-2026

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

1. XXI Additional Sessions Court,
Allikulam, Chennai.

2. The XIX Metropolitan Magistrate,
Egmore @ Allikulam, Chennai.



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M.NIRMAL KUMAR J.

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