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CRL OP No. 6807 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

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THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 6807 of 2026

P.Mohammed Faizan

..Petitioner(s)

Vs

A.Sadiq Basha

..Respondent(s)

Criminal Original Petition is filed under Section 528 of B.N.S.S., to modify the condition imposed in Crl.M.P.No.01 of 2026 in Crl.A.No.226 of 2026, dated 19.02.2026 passed by the learned XXI Additional Sessions Judge, Allikulam, Chennai, directing to deposit 20% of the compensation amount.

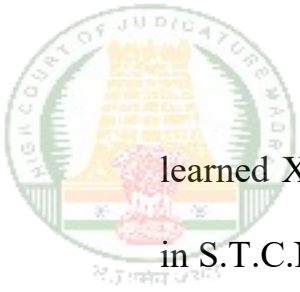
For Petitioner(s): Mr.K.Balaji

ORDER

The present Criminal Original Petition has been filed seeking to modify the condition imposed by the XXI Additional Sessions Judge, Allikulam, Chennai, dated 19.02.2026, in Crl.M.P.No.01 of 202 6 in Crl.A.No.226 of 2026.

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 XXXV Metropolitan Magistrate, FTC-II, Egmore, Allikulam, Chennai,
in S.T.C.No.11106 of 2025.

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2.2. On 20.01.2026, the trial Court found the petitioner/accused guilty, convicted him and sentenced him to undergo six months simple imprisonment and further directed him to pay the cheque amount of Rs.6,33,000/- as compensation, in default to undergo two months simple imprisonment.

2.3. Against the said judgment, the petitioner preferred an appeal in Crl.A.No.226 of 2026 along with a petition in Crl.M.P.No.01 of 2026 seeking suspension of sentence. On 19.02.2026, the learned XXI Additional Sessions Judge, Allikulam, 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 petitioner is not in a position to mobilize such a huge amount. He further submitted that the petitioner has a good and meritorious case in appeal. Therefore, he prayed that the condition directing the petitioner to deposit 20 % of the compensation amount 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 2026 in Crl.A.No.226 of 2026 vide order dated 19.02.2026. Accordingly, the condition to deposit 20 % of the compensation amount is hereby modified to 10 %. 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 10 % of the compensation 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.

17.03.2026

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Neutral Citation: Yes/No

To

1. The XXI Additional Sessions Judge, Allikulam, Chennai.
2. The XXXV Metropolitan Magistrate,
FTC-II, Egmore, Allikulam, Chennai.



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M.NIRMAL KUMAR, J.

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