



Crl.O.P.No.7573 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2026

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.7573 of 2026

R. Gomathi

... Petitioner

Vs.

T.V.Dhanalakshmi

... Respondent

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to modify the conditions 3 and 4 in Crl.M.P.No.1 of 2025 dated 23.07.2025 on the file of the Principal Sessions Judge, Chennai.

For Petitioner : Ms. R. Priyanka

ORDER

This Criminal Original Petition has been filed seeking to modify the conditions 3 and 4 in Crl.M.P.No.1 of 2025 in C.A.No.888 of 2025 on the file of the Principal Sessions Judge, Chennai.



2. The complaint under Section 138 of the Negotiable Instruments Act was filed by the respondent against the petitioner before the XXVI Metropolitan Magistrate, Egmore, Chennai in S.T.C.No.4615 of 2023. On 21.06.2025, the trial Court found the petitioner guilty, convicted her and sentenced her to undergo one year simple imprisonment and further directed her to pay the cheque amount of Rs.9,73,250/- as compensation, in default to undergo 30 days simple imprisonment.

2.1. Against the said judgment, the petitioner preferred an appeal in C.A.No.888 of 2025 along with a petition in Crl.M.P.No.1 of 2025 seeking suspension of sentence. On 23.07.2025, the Principal Sessions Judge, Chennai, while suspending the sentence imposed on the petitioner, directed her to deposit 20% of the compensation amount before the trial Court. Aggrieved by the same, the present petition has been filed.

3. The contention of the petitioner is that she is a single woman and is doing odd jobs to sustain herself. Further, she has a reasonably good chance of success in the appeal. The respondent had foisted a case using a cheque belonging to the petitioner.



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4. Considering the petitioner's contention and taking note of her submission regarding her inability to pay, as she is a single woman finding it difficult to sustain her day-to-day life, this Court is inclined to modify Condition No. 3 imposed by the appellate Court in Crl.M.P.No.1 of 2025 in C.A.No.888 of 2025 dated 23.07.2025. Accordingly, the direction to deposit 20% of the compensation amount is hereby modified to 10%. It is also made clear that the other conditions remain unaltered.

5. 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. It is made clear that in the event of failure, the order shall stand automatically cancelled.

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

25.03.2026

Neutral Citation: Yes/No
AT



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M.NIRMAL KUMAR, J.

AT

To

1.The XXVI Metropolitan Magistrate, Egmore, Chennai.

2.The Principal Sessions Judge, Chennai.

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