



Crl. O.P. No. 8447 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2026

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl. O.P. No. 8447 of 2026

and

Crl. M.P. No. 6003 of 2026

1.C.J. Infra,
(MEP Engineering & Contractor),
Rep., by its Partner / Authorized Signatory,
A. Gayathiri

2.Gayathiri

... Petitioners

Vs.

R. Arunkumar

... Respondent

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to set aside the condition to deposit 20% of the compensation amount order made in Crl.M.P.No.2 of 2025 in Crl.A.No.1172 of 2025 dated 18.12.2025 on the file of XVIII Additional City Civil Court, Chennai.

For Petitioner : Mr. S. Vijayakumar



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ORDER

This Criminal Original Petition has been filed seeking to set aside the condition directing the petitioner to deposit 20% of the compensation amount, as ordered in Crl.M.P.No.2 of 2025 in Crl.A.No.1172 of 2025 dated 18.12.2025, on the file of XVIII Additional City Civil Court, Chennai.

2. The petitioner / accused was convicted by the trial Court in C.C. No. 301 of 2021, by judgment dated 13.08.2025 and sentenced to undergo one year simple imprisonment and to pay compensation of Rs.8,00,000/-. Aggrieved by the same, the petitioner preferred an appeal in Crl.A.No.1172 of 2025 along with a petition in Crl.M.P.No.2 of 2025 seeking suspension of sentence. The Sessions Judge admitted the appeal and by order dated 18.12.2025, suspended the sentence and one of the condition that the petitioner shall deposit 20% of the compensation amount of Rs.8,00,000/-.

3. The contention of the petitioner is that the subject matter of the case relates to cheque for Rs.4,00,000/-. It is submitted that the trial Court, while convicting the petitioner, did not properly consider the cheque amount and erroneously awarded compensation of twice the cheque amount, i.e., Rs.8,00,000/-.

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3.1. It is further contended that, though the issue was raised before the Sessions Court, the same was not properly considered and the order imposing compensation of Rs.8,00,000/- was mechanically recorded, which is not proper.

4. In view of the above, this Court sets aside the order dated 18.12.2025 passed in Crl.M.P.No.2 of 2025, insofar as it directs the petitioner to deposit 20% of Rs.8,00,000/-. Instead, the petitioner is directed to deposit 20% of Rs.4,00,000/- before the trial Court within a period of two weeks from the date of receipt of a copy of this order. It is also made clear that the other conditions remain unaltered.

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

06.04.2026

Neutral Citation : Yes / No

AT

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M.NIRMAL KUMAR, J.

AT

To

1.The XVIII Additional City Civil Court, Chennai.

2.The XXVII Metropolitan Magistrate, Saidapet, Chennai.

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