



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 9503 of 2026

V. Subendran

Petitioner(s)

Vs

C.Dhanasekar

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to set aside the condition passed in M.P.No.1 of 2026 in CrI.A.No.324 of 2026 that “the petitioner shall deposit 20 % of the compensation amount to the credit of STC.No.2138 of 2023 on the file of the Trial Court within thirty days” passed by the Learned XX Additional City Civil Judge, Chennai.

For Petitioner(s): Mr.O.Ravi

ORDER

Challenging the order dated 17.03.2026 made in CrI.M.P.No.1 of 2026 in CrI.A.No.324 of 2026 passed by the learned XX Additional Sessions Court, Allikulam, Chennai, directing the petitioner to deposit 20% of the compensation amount to the credit of STC.No.2138 of 2023 on the file of the trial Court within thirty days”, the petitioner has filed the present petition.



Facts in brief:

2. The petitioner/accused was convicted for the offence under Section 138 of Negotiable Instruments Act, 1881, in S.T.C.No. 2138 of 2023 on the file of the learned XXVII Metropolitan Magistrate, Saidapet, Chennai, vide order dated 05.02.2026, sentenced to undergo 6 months simple imprisonment and to pay a sum of Rs.4,00,000/- as compensation to the complainant, in default to undergo one month simple imprisonment.

2.1 Aggrieved by the same, the petitioner preferred an appeal before before the XX Additional Sessions Court, Allikulam, Chennai in Crl.A.No.324 of 2026 along with C.M.P.No.1 of 2026, seeking suspension of sentence, pending disposal of the appeal. The appellate Court vide order dated 17.03.2026, while suspending the sentence, directed the petitioner to deposit 20% of the compensation amount to the credit of S.T.C.No. 2138 of 2023 on the file of the learned XXVII Metropolitan Magistrate, Saidapet, within a period of 30 days from the date of the order. Challenging the same, the petitioner has filed the present petition.

3. The learned counsel for the petitioner submitted that the cheque amount is only Rs.2,00,000/-, however, the appellate Court directed to deposit 20% of the compensation amount to the credit of S.T.C.No.2138 of 2023 before



the trial Court, which is highly excessive. He further submitted that the petitioner is ready and willing to deposit 20% of the cheque amount before the trial Court. Thus, he prays for setting aside the said condition of depositing 20% of the compensation amount.

4. Heard the learned counsel for the petitioner and also perused the materials available on record.

5. Considering the above submission made by the learned counsel for the petitioner and taking into account the facts and circumstances of the case, it would be appropriate to direct the petitioner to deposit 20% of the cheque amount to the credit of S.T.C.No.2138 of 2023 on the file of the learned XXVII Metropolitan Magistrate, Saidapet, within a period of three (3) weeks from the date of receipt of a copy of this order being hosted in the High Court Website.

6. With the above observations and direction, this Criminal Original Petition is disposed of.

16.04.2026

Neutral Citation: Yes/No
Jd



To

1. XX Additional Sessions Court, Allikulam
2. The Learned XXVII Metropolitan Magistrate, Saidapet.
3. The Public Prosecutor, Madras High Court, Chennai.



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M.NIRMAL KUMAR J.
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