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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 10797 of 2026

CNR:{HCMA010909332026}

and

CRL MP No. 7645 of 2026

1. D.Shanthi Leela

Petitioner(s)

Vs

1. V.C.Ravichandran

Respondent(s)

PRAYER

To set aside the order dated 07-04-2026 passed in CMP No.1 of 2026 in CA No.56 of 2026 on the file of II Additional District Judge, Salem with respect the condition that 20 percent of compensation amount of Rs.5,63,200/- into the Credit of STC No.11932 of 2022 before the learned Judicial Magistrate No.3, Salem on or before 06-05-2026 is concerned and allow the above Criminal Original Petition or pass any other order or direction this Court may deem fit and thus render justice.

For Petitioner(s): Mr. R.Nalliyappan

For Respondent(s): Mr. P.Jagadeesan

ORDER

This petition has been filed challenging the order dated 07.04.2026 passed in C.M.P. No.1 of 2026 in C.A. No.56 of 2026 in S.T.C. No.11932 of 2022 on the file of the II Additional District Court, Salem, thereby imposing condition to deposit 20% of the compensation amount awarded by the trial

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court.

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2. The petitioner is the accused in the complaint lodged by the respondent for the offences punishable under Section 138 of the Negotiable Instruments Act. After completion of trial, the Trial Court convicted the accused for the offences punishable under Section 138 of the Negotiable Instruments Act and sentenced him to undergo eight months simple imprisonment and also awarded compensation to the tune of double the cheque amount. Aggrieved by the same, the accused preferred an appeal along with an application to set aside the substantive sentence imposed by the trial court.

3. The Appellate Court, by order dated 07.04.2026, suspended the substantive sentence imposed by the trial Court and imposed a condition to deposit 20% of the compensation amount to the credit of S.T.C. No.11932 of 2022 on or before 06.05.2026. Aggrieved by the same, the present petition has been filed.

4. On perusal of the records, it is revealed that the trial Court had awarded compensation, which is double the cheque amount. However, now the accused is ready and willing to deposit 20% of the cheque amount alone and not 20% of the compensation amount.

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5. In view of the above circumstances, the order passed by the Appellate Court in C.M.P. No.1 of 2026 in C.A. No.56 of 2026 in S.T.C. No.11932 of 2022 is hereby modified by directing the petitioner to deposit 20% of the cheque amount instead of compensation amount on or before 16.11.2026. In so far as the permission granted to the complainant to withdraw the said amount, is hereby set aside. If the accused failed to comply with the condition imposed by this Court on or before 16.11.2026, this order shall stand automatically cancelled and the appellate Court is permitted to proceed as against the accused in accordance with law and proceed with the appeal.

6. Accordingly, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

28-10-2026

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

To
1. The II Additional District Court, Salem.

2. The Judicial Magistrate Court No.3, Salem.

3. The Public Prosecutor, Madras High Court.

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G.K.ILANTHIRAIYAN J.

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