



WEB COPY

CRL OP No. 10075 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 10075 of 2026

1. M/s. Senthur Murugan Auto Spares
Rep., by its Proprietor, T.Lakshmipathi,
No.4, Muthamizh Nagar,
Pammal,
Chennai - 600 075.

2. T.Lakshmipathi

..Petitioner

Vs

P. Syamala Reddy
Proprietor of PRAJWAL ENTERPRISES,
Rep. by her POA,
Mr.S.Santhana Krishnan,
No. 6 and 7 , Alapakkam Main Road,
Porur,
Chennai 600 116.

..Respondent

Prayer: Criminal Original Petition filed under Section 528 of BNSS to set aside the order passed by the XV Additional Sessions Court, Chennai dated 23.03.2026 made in M.P.No. 1/2026 in C.A.No. 405/2026.

For Petitioner:

Mr. G. Ashokkumar



ORDER

This Criminal Original Petition is filed to set aside the order passed by the XV Additional Sessions Court, Chennai dated 23.03.2026 made in M.P.No. 1 of 2026 in C.A. No. 405/2026.

2. The petitioner / accused in a case under Section 138 of Negotiable Instruments Act, filed by the respondent was convicted by the trial Court in S.T.C.No.841 of 2021 by judgment dated 17.02.2026 and sentenced to six months simple imprisonment. The petitioner was also directed to pay compensation amount of Rs.18,00,000/- to the respondent. Aggrieved by the same, the petitioner preferred an appeal before the Sessions Court in C.A.No.405 of 2026 and filed a petition for suspension of sentence in Crl.M.P.No.1 of 2026. The Sessions Judge admitted the appeal, accepted the sureties, but directed the petitioner to deposit 20% of the compensation amount of Rs.18,00,000/-, which comes to Rs.3,60,000/-.

3. The contention of the petitioner is that the cheque amount involved in the case is only Rs.10,00,000/-. The trial Court, without assigning any reason, imposed an exorbitant compensation amount. The lower appellate Court also failed to consider the same. The petitioner is willing to deposit 20% of the cheque amount i.e., Rs.2,00,000/-.



4. Considering the submissions and upon perusal of the materials on record, it is seen that in S.T.C.No.841 of 2021, the cheque amount pertains to Rs.10,00,000/-. The trial Court had imposed compensation of Rs.18,00,000/- without proper discussion as to how such amount was arrived at under Section 357 Cr.P.C.

5. In view of the above, this Court modifies the order passed by the lower appellate Court, which had directed the petitioner to deposit 20% of the compensation amount of Rs.18,00,000/- and accordingly modifies the condition by directing the petitioner to deposit 20% of the cheque amount of Rs.10,00,000/- i.e., Rs.2,00,000/- on or before 02.06.2026. It is also made clear that the other conditions remain unaltered.

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

21-04-2026

Neutral Citation: Yes/No
AT

To

1.The XV Additional Sessions Court, Chennai.

2.The Special Metropolitan Magistrate Court /
XII Court of Small Causes, Chennai.



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M.NIRMAL KUMAR, J.

AT

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