



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

CORAM

WEB COPY

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 14436 of 2026

AND

CRL OP NO. 14439 OF 2026

Krishna
Sole Proprietor
M/s Meghna Steel Traders,
Plot no.14, Lakeshore Apartments,
Devi Nagar, 5th Street, Kolathur,
Chennai - 600 099.

Petitioner in both petitions

Vs

M/s.Emgee Enterprises,
Rep by its Proprietor
Mr.Nithesh J Shah,
No.32,(Old No.26) Kadumbadi Amman
Kovil Street,
Chinnadimadam,
Kodungaiyur, Chennai - 600 118.

Respondent in both
petitions

CRL OP No. 14436 of 2026

PRAYER

This criminal original petition is preferred under section 528 of BNSS Act seeking to set aside the order passed by the Hon'ble XX Additional City Civil Court, Chennai in CrI.M.P.No.3 of 2026 in CrI.M.P.No.1 of 2025 in CrI.A.No.1304 of 2026 and thus render justice.

**CRL OP No. 14439 of 2026****PRAYER****WEB COPY**

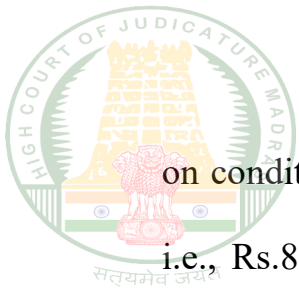
This criminal original petition is preferred under section 528 of BNSS Act seeking to set aside the order passed by the Honble XX Additional City Civil Court, Chennai in Crl.M.P.No.4 of 2026 in Crl.M.P.No.1 of 2025 in Crl.A.No.1304 of 2026 and render justice.

For Petitioner(s): Mr.M.V.Bibin Mahesh
in both petitions

For Respondent(s): Ms.M.Prarthana
in both petitions

COMMON ORDER

The petitioner / accused in S.T.C.No.9551 of 2024 on the file of the Metropolitan Magistrate Court, Fast Track Court-I, Egmore at Allikulam was convicted under section 138 of the Negotiable Instruments Act, 1881 and sentenced to undergo six months simple imprisonment and to pay compensation of Rs.4,17,034/- being the cheque amount to the respondent and in default to undergo simple imprisonment for one month. Aggrieved over the same, the petitioner preferred an appeal before the XX Additional Sessions Court, Allikulam, Chennai in Crl.A.No.1304 of 2025 and has also filed a petition in Crl.M.P.No.1 of 2025 seeking for suspension of sentence. The Sessions Court by an order dated 19.12.2025 admitted the appeal and suspended the sentence



on condition that the petitioner shall deposit 20% of the compensation amount, i.e., Rs.83,406/- before the trial court to the credit of S.T.C.No.9551 of 2024

within a period of sixty days from 19.12.2025. The petitioner was unable to mobilise the funds within the prescribed period as he was suffering from medical ailments. Therefore, the petitioner has filed two petitions praying for condonation of delay of 17 days in filing the petition to extend the time for deposit of the 20% compensation amount and also for extension of time to deposit the same.

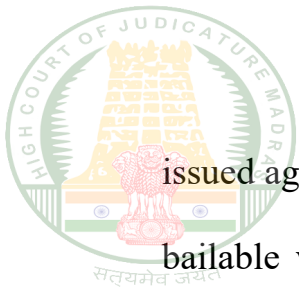
2.The learned Sessions Judge considered the petitioner's plea and found that already 60 days had elapsed from the date of the order directing to deposit the amount and further, the petitioner sought extension of time after a period of 90 days which is beyond the period prescribed under Section 148 of the Negotiable Instruments Act and hence, the learned Sessions Judge dismissed both the petitions.

3.It is the contention of the learned counsel for the petitioner that now the petitioner has recovered from the medical ailment and that he has mobilised the fund. The learned counsel has also produced a photocopy of the demand draft for a sum of Rs.83,406/- drawn on IDFC First Bank, Perambur Branch, dated 09.06.2026.



4. The learned counsel for the respondent submitted that the petitioner is trying to protract the proceedings. The learned counsel contended that initially the petitioner took the stand that he was unable to mobilise the fund and subsequently, he took the stand that he was suffering with health ailments and that depending upon the situation, the petitioner is giving one reason or the other. So far, the petitioner has not deposited the amount and suddenly, now the petitioner is producing the demand draft with delay. The lower appellate court finding that the petitioner is adopting the dilatory tactics dismissed both the petitions.

5. This court considered the submissions made by both sides and has also perused the materials available on record. It is seen that the petitioner is now ready to deposit the 20% of the compensation amount and he has taken the demand draft for the said amount. In view of the above, the petitioner is directed to deposit the said demand draft for a sum of Rs.83,406/- within a period of seven days from today to the credit of the S.T.C.No.9551 of 2024. It is now informed that the case is posted before the learned Sessions Judge on 02.07.2026 and the case records have also reached the court. The learned XX Additional Sessions Judge, Allikulam, Chennai shall hear the appeal and dispose of the same without further delay preferably within a period of four months from 02.07.2026. It is also informed that a Non Bailable Warrant was



issued against the petitioner. In the light of the submissions made above, the non
bailable warrant issued against the petitioner is recalled. Both these criminal
original petitions are disposed of with the above directions and observations. No
costs.

10-06-2026

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

To

1.XX Additional Sessions Court,
Allikulam, Chennai.

2.Metropolitan Magistrate Court,
Fast Track Court-I,
Egmore @ Allikulam.
Chennai



WEB COPY

CRL OP No. 14436 of 2026



M.NIRMAL KUMAR J.

vvk

**CRL OP No. 14436 of
2026
AND CRL OP NO.
14439 OF 2026**

10-06-2026