



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14032 of 2026

WEB COPY

J.Rangarajan
S/o.Janganathan,
No.6/3, Sundararajan Street,
T.Nagar, Chennai - 600 017.

..Petitioner(s)

Vs

S.G.Ramesh Kumar
No.62, Old No.50, Thruvalluvarpet,
Mandaveli, Chennai - 600 028.

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 528 of BNSS, to modify/Waive the order dated 02.04.2026 passed in Crl.M.P.No.1 of 2026 in C.A.No.476 of 2026 on the file of the I Additional City Civil and Sessions Court, Chennai insofar as the condition directing the petitioner shall deposit 15 percentage of the compensation amount before the XXXVIII Metropolitan Magistrate, Fast Track Court-V, Saidapet, Chennai-15 at the credit of S.T.C.44 of 2023 within sixty days from today and pass such other further orders this Honble Court may deem fit and proper circumstances of the case and thus render justice.

For Petitioner(s): M/S. A.Arvind Athithan

For Respondent(s): M/S. P.Vigneshkumar



ORDER

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This Criminal Original Petition has been filed to modify/Waive the order dated 02.04.2026 passed in Crl.M.P.No.1 of 2026 in C.A.No.476 of 2026 on the file of the I Additional City Civil and Sessions Court, Chennai insofar as the condition directing the petitioner shall deposit 15% of the compensation amount before the XXXVIII Metropolitan Magistrate, Fast Track Court-V, Saidapet, Chennai-15 at the credit of S.T.C.44 of 2023 within sixty days from today

2. The learned counsel for the Petitioner would fairly submit that the similar order in Crl.OP.No.14030 of 2026 was dismissed on 01.06.2026.

3. The relevant order is extracted here under:-

"This petition has been filed seeking modification of the condition imposed in Crl.M.P.No.1 of 2026 in C.A.No.477 of 2026 dated 02.04.2026 on the file of the I Additional City Civil and Sessions Court, Chennai.

2.The learned counsel for the petitioner submitted that the learned Appellate Judge exercised discretion by requiring a deposit of 15% of the compensation amount before the learned XXXVIII Metropolitan Magistrate, Fast Track Court-V, Saidapet, Chennai, which is on the higher side. Therefore,

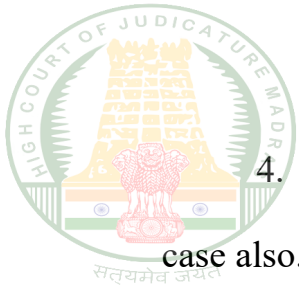


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the learned counsel for the petitioner seeks a reduction of this pre-deposit. The petitioner's counsel further submitted that this Court has the discretion to reduce the pre-deposit condition.

3. Although the learned counsel relied upon the various authorities, this Court has no doubt about the discretion available to it. However, looking into the factual position, the complainant was filed by complaint under Section 138 of the Negotiable Instruments Act, 1881, for a dishonoured cheque to a value of Rs.45,00,000/-. Wherein the trial Court convicted the accused. Only then, he preferred an appeal before the I Additional City Civil and Sessions Court, Chennai. The appellate Court directed the petitioner to deposit 15% of the compensation amount, which according to this Court is a reasonable one. Therefore, there are no ground to interfere with the order of the learned Appellate Judge.

4. Accordingly, the Criminal Original Petition is dismissed".



4. The reasons assigned in the earlier order is applicable to the present case also. Hence, this Criminal Miscellaneous Petition is dismissed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Vv

To

1. The I Additional City Civil and Sessions Court, Chennai
2. The XXXVIII Metropolitan Magistrate, Fast Track Court-V, Saidapet, Chennai-15
3. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

VV

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