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CRL OP No. 14030 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14030 of 2026

J.Rangarajan

..Petitioner(s)

Vs

S.G.Ramesh Cumar (HUF)
Represented by its Karta,
S.G.Ramesh Cumar,
No.62, Old No.50, Thruvalluvarpet,
Mandaveli, Chennai - 600 028.

..Respondent(s)

Prayer:- Criminal Original Petition filed under Section 528 BNSS, 2023, pleased to modify/Waive the order dated 02.04.2026 passed in Crl.M.P.No.1 of 2026 in C.A.No.477 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.No.41 of 2023 within sixty days from today.

For Petitioner(s):

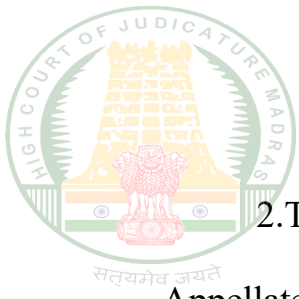
Mr.A.Arvind Athithan

For Respondent(s):

M/s.R.S.Indira, Government Advocate
(Criminal side)

ORDER

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, 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.

01-06-2026

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To:-

1.I Additional City Civil and Sessions Court, Chennai.

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2. XXXVIII Metropolitan Magistrate,
Fast Track Court V, Saidapet, Chennai.

3.The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN, J.

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