



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15721 of 2026

J.Amarnath Gopikannan

..Petitioner(s)

Vs

M.Meenakshi

..Respondent(s)

To relax the condition imposed by the Honble I Additional Session Judge at Chennai in Crl.M.P.No.1/2026 in Crl.A.No.549/2026 that the petitioner shall deposit 20 percentage of the compensation amount before the XXV Metropolitan Magistrate, Egmore, Chennai -8 at the credit of STC.No.2030 of 2022 with in sixty days from today and pass such other further orders.

For Petitioner(s): Ms.R.Pushpalatha

For Respondent(s): M/s.S.Krishnaswamy

ORDER

This Criminal Original Petition has been filed to relax the condition imposed by the learned I Additional Session Judge at Chennai in Crl.M.P.No.1 of 2026 in Crl.A.No.549/2026 directing the petitioner to deposit 20% of the compensation amount.

2. The petitioner was convicted for the offence punishable under Section 138 of the Negotiable Instruments Act, by the Trial Court, by judgment dated



17.03.2026 in STC.No.2030 of 2022. Aggrieved against the same, the petitioner preferred an appeal before the I Additional Sessions Court, Chennai in CrI.A.No.549 of 2026 and also filed suspense of sentence petition in CrI.MP.No.1 of 2026. The I Additional Sessions Judge, by order dated 18.04.2026, admitted the appeal and suspended the sentence on the petitioner subject to the conditions that he shall execute a bond for Rs.10,000/- with two sureties on or before 04.05.2026 and deposit 20% of the compensation amount awarded by the Trial Court.

3. The learned counsel for the petitioner submitted that the Trial Court had directed the petitioner to pay the cheque amount of Rs.3,00,000/- in the present case. The petitioner was involved in two other prosecutions under Section 138 of the Negotiable Instruments Act, and the aggregate liability in all the cases is approximately Rs.9,50,000/-. The petitioner has now only paid school fees for his two children. At this stage, it is very difficult for him to pay 20% of the compensation amount in all the cases simultaneously.

4. The learned counsel for the petitioner further submitted that the petitioner has already complied with the condition relating to execution of sureties as directed by the Appellate Court. However, the petitioner is finding difficult to deposit pay 20% of the compensation amount, i.e., Rs.60,000/-, and hence filed this petition.



5. Per contra, the learned counsel for the respondent strongly opposed the petitioner's contention and submitted that the petitioner is a financier. The petitioner under the guise of investment schemes, had allegedly collected money from more than 100 persons, and cheated them to the tune of Rs.3 Crores. The petitioner is leading a comfortable and luxurious life with the cheated amount.

6. The learned counsel for the respondent further submitted that the Trial Court awarded only the cheque amount as compensation without any interest. At the time of admission of the appeal, the petitioner had undertaken to deposit 20% of the compensation amount and only on such undertaking, the sentence was suspended. On the contrary, now he is contending that the condition imposed by the Appellate Court is onerous.

7. In view of the above facts and circumstances, and the objections made by the respondent, this Court is not inclined to modify the condition. However, three weeks time is granted for the petitioner to deposit the 20% of the compensation amount. It is made clear that no further time will be given. If the amount is not paid within the stipulated period, this order will automatically stand cancelled. Thereafter, the Appellate Court shall be at liberty to take appropriate coercive steps in accordance with law and proceed with the appeal expeditiously.



8. With the above directions, this Criminal Original Petition is disposed of.

22-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

PVS

To

1. I Additional Session Judge at Chennai

2. The XXV Metropolitan Magistrate, Egmore, Chennai



M.NIRMAL KUMAR, J.

PVS

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