WEB COPY

Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2026

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.19089 of 2026

CNR: {HCMA011464682026}

S.Prabhu Inbadass
S/o. J.Solomon,
No.34, Narmatha Apartments,
Seshadhripuram, Varadharajapuram,
Mudichur, Chennai - 600045.

Case QR

..Petitioner(s)

Vs

S.P.Navaneethakrishnan @ P.S.Narendran
S/o.Late.P.V.Sundar Rao,
No.23/133, Judge Chellappanaiker Street,
Poonamalle, Chennai - 600 056.

..Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order passed in Crl.M.P.No.6835 of 2024 in Crl.A.No.224 of 2024 on the file of the learned Principal District and Sessions Judge, Tiruvallur, and enlarge the petitioner on bail.

For Petitioner(s): Mr. D. Prasanna Kumar

For Respondent(s): Mr. J. Daniel

https://www.mhc.tn.gov.in/judis

WEB COPY

ORDER

This petition has been filed challenging the order dated 31.01.2025, passed by the learned Principal District and Sessions Judge, Tiruvallur, in Crl.M.P.No.6835 of 2024 in Crl.A.No.224 of 2024, thereby directing the petitioner to deposit 20% of the compensation amount before the Trial Court within a period of sixty days.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. On perusal of the records, it is revealed that the petitioner was convicted by the judgment dated 01.10.2024, for the offence punishable under Section 138 of the Negotiable Instrument Act, by the learned Judicial Magistrate, Fast Track Court, Ponnamallee, in S.T.C.No.556 of 2021 and was sentenced to undergo one year simple imprisonment and to pay a compensation of Rs.40,00,000/- to the complainant, in default to undergo one week simple imprisonment. Aggrieved by the same, the petitioner preferred an appeal in Crl.A.No.224 of 2024 along with the petition to suspend the sentence pending disposal of the appeal. The Appellate Court, while considering the petition for

https://www.mhc.tn.gov.in/judis

WEB COPY

suspension of sentence, by an order dated 31.01.2025 suspended the sentence alone till the disposal of the appeal on condition to deposit 20% of the compensation amount before the Trial Court within a period of two months. Aggrieved by the same, the petitioner filed the present petition.

4. The Hon'ble Supreme Court of India in the case of ***Jamboo Bhandari Vs. M.P.State Industrial Development Corporation Ltd. & ors*** reported in ***2023 (3) MWN Crl. 104 (SC)*** has held that the requirement to deposit of 20% of the compensation amount is not an absolute rule and it can be reduced or even exempted in exceptional cases by assigning reasons.

5. Whereas, in the case on hand, this Court finds no valid reason or any exceptional circumstance to reduce such deposit. Hence, this Court finds no infirmity or illegality in the order passed by the Appellate Court thereby imposing condition to deposit 20% of the compensation amount. However, this Court is inclined to extend the time to comply the order passed by the Appellate Court. Accordingly, the petitioner shall comply the condition imposed in the order dated 31.01.2025 passed by the learned Principal District and Sessions Judge, Tiruvallur, in Crl.M.P.No.6835 of 2024 in Crl.A.No.224 of 2024, on or before 23.11.2026, failing which the present order of this Court

https://www.mhc.tn.gov.in/judis

WEB COPY

extending the time shall automatically stand cancelled and the Appellate court shall take appropriate action against the accused in accordance with law.

6. Accordingly, the Criminal Original Petition stands disposed of.

03.11.2026

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

Note : Issue order copy on or before 06.11.2026

rts

https://www.mhc.tn.gov.in/judis

WEB COPY

To

1. The Principal District and Sessions Judge,
Tiruvallur.

2. The Judicial Magistrate, Fast Track Court,
Ponnamallee.

https://www.mhc.tn.gov.in/judis

WEB COPY

G.K.ILANTHIRAIYAN. J,

rts

Crl.O.P.No.19089 of 2026

03.11.2026

https://www.mhc.tn.gov.in/judis