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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 17860 of 2026

CNR:{HCMA011520922026}

Case QR

Mrs. Kirithiga
No.5/352/D,
Matheshwaran Kovil Street,
Venkamedu,
Angeripalayam,
Thirupur 641 603.

..Petitioner(s)

Vs

Mr. G.M.Sudhakar Murali
No.22, Birundhan Avenue,
Srinagar Colony,
Thirumullaivoyal,
Chennai-600 062.

..Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, praying to set aside the order passed in Crl MP No.1/2026 in Crl A. No.72 of 2026 on the file of the Principal District and Sessions Judge at Thiruvallur and grant Extension of time of 2 months for deposit the conditional amount.

For Petitioner(s): Ms.R.Saritha

For Respondent(s): Notice served – No appearance.

Order

This Criminal Original Petition has been filed to set aside the order dated 19.02.2026 passed in Crl MP No.1/2026 in Crl A. No.72 of 2026 on the file of the Principal District and Sessions Judge at Thiruvallur and grant Extension of time of 2 months for deposit the conditional amount.

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2.The case of the petitioner is that the respondent filed a complaint in S.T.C.No.226 of 2021 before the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Ambattur, Tiruvallur, under Section 138 of the Negotiable Instruments Act, claiming a sum of Rs.2,00,000/-. By judgment dated 09.01.2026, the trial Court convicted the petitioner under Section 255(2) Cr.P.C. and sentenced him to undergo two months' simple imprisonment and to pay compensation of Rs.2,50,000/- to the complainant under Section 357(3) Cr.P.C., within one month, in default to undergo a further period of six weeks' simple imprisonment. Aggrieved by the said judgment, the petitioner has preferred an appeal in Crl.A.No.72 of 2026 and sought suspension of the sentence of imprisonment. The learned Principal District and Sessions Judge at Tiruvallur, by a conditional order, suspended the sentence of imprisonment and directed the petitioner herein to deposit 20% of the compensation amount, namely, Rs.50,000/-, within 60 days before the trial Court, subject to his being enlarged on bail.

3.The learned counsel appearing for the petitioner submits that, despite his sincere efforts, he could not mobilise the required funds due to severe financial difficulties, business losses and ill health. He further states that he was bedridden owing to hypertension and was undergoing continuous medical treatment, which prevented him from complying with the conditional order within the stipulated time. The learned counsel further submits that, owing to

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his ill health, he could not deposit the amount within the stipulated time and seeks a further period of two months to comply with the conditional order. It is contended that no prejudice would be caused to the respondent if such an extension is granted.

4.Though notice has been served on the respondent, he has not entered appearance either in person or through counsel.

5.Upon considering the submissions of the learned counsel for the petitioner and perusing the materials available on record, this Court finds no reason to interfere with the order dated 19.02.2026 passed by the learned Principal District and Sessions Judge, Tiruvallur, in Crl.M.P. No.1 of 2026 in Crl.A. No.72 of 2026. However, the time for complying with the conditional order is extended till 16.11.2026 failing which the appellate Court is directed to proceed further in accordance with law.

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6.Accordingly, this Criminal Original Petition is dismissed.

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

NOTE: ISSUE ORDER COPY ON 05.11.2026

To

The Principal District and Sessions Judge at Thiruvallur.

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G.K.ILANTHIRAIYAN J.

AH

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