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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2026

CORAM

Case QR

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 32927 of 2026

CNR: {HCMA012668902026}

A.Ananda
S/o Arumugam,
Old No.113, New No.135,
Tondiarpet High Road,
Moolakadai,
Chennai.

..Petitioner(s)

Vs

G.Kalaiselvan
S/o Govindaraj,
No.8/507, Muthamizh Nagar,
Kondungaiyur,
Chennai.

..Respondent(s)

Prayer: This petition is filed under section 528 of BNSS to Set aside the order of revocation of Suspension of sentence passed in Crl.M.P.No.1 of 2025 in Crl.A No.611 of 2025 dated 16.12.2026 on the file of the II Additional Sessions Judge, Chennai against S.T.C.No.9734 of 2024, dated 08.04.2025 on the file of the Metropolitan Magistrate Court, Fast Track -1, (Magistrate Level) Egmore @ Allikulam, Chennai and consequently restore the order granting suspension of sentences dated 08.05.2026 and direct the petitioner to comply in the said order within such time as may be stipulated by this Honouable Court.

For Petitioner(s): Mr.Rajkumar.M

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ORDER

This Criminal Original Petition has been filed seeking to set aside the order dated 16.12.2025 passed in Crl.M.P.No.1 of 2025 in Crl.A.No.611 of 2025 on the file of the II Additional Sessions Judge, Chennai.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. On perusal of the records, it is revealed that the petitioner was convicted by the judgment dated 01.09.2025, for the offence punishable under Section 138 of the Negotiable Instrument Act, by the learned Metropolitan Magistrate Court, Fast Track-I(Magistrate Level Egmore @Allikulam, Chennai in STC No.9734 of 2024 and was sentenced to undergo simple imprisonment for one year S.I and to pay compensation of double the cheque amount and Rs.12,00,000/- in default of payment of compensation amount within a period of one month, further imprisonment of two months simple imprisonment. Aggrieved by the same, the petitioner preferred an appeal in Crl.A.No.611 of 2025 along with the petition to suspend the sentence pending disposal of the appeal. The Appellate Court, while considering the petition for suspension of sentence, by an order dated 08.05.2025 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. However, the petitioner has not complied with the said condition, due to which the Trial Court was

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directed to execute the committal warrant against the petitioner for non-compliance of the conditional order on 16.12.2025. Aggrieved by the same, the petitioner filed the present petition.

4. Considering the facts and circumstances of the case, this Court is inclined to grant time to the petitioner till 23.11.2026 to comply with the condition imposed on 08.05.2025 in Crl.M.P.No.1 of 2025 in STC No.9734 of 2024 on the file of the Principal Sessions Judge, Chennai, failing which, the order passed by this Court shall automatically stand cancelled, and the Appellate Court shall take appropriate action against the accused in accordance with law.

6. With the above modification, this Criminal Original Petition is allowed.

10-11-2026

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

SMN

Note: The Registry is directed to issue order copy on 11.11.2026

To.

1. The II Additional Sessions Judge, Chennai
2. The Metropolitan Magistrate Court, Fast Track -1, (Magistrate Level)

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Egmore @ Allikulam, Chennai.

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G.K.ILANTHIRAIYAN, J.

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