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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-11-2026

Case QR

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 33216 of 2026

CNR: {HCMA012716572026}

M.Premkumar @ Premkanth
S/o Manoharan,
No.1, Pillaiyar Koil Street,
Sammandikuppam Village,
Vadacheri Post,
Vaniyambadi.

..Petitioner(s)

Vs

U.Sudhakar
S/o Uthresan,
No.1-54, Pillaiyar Koil Street,
Sammandikuppam Village,
Vadacheri Post,
Vaniyambadi.

..Respondent(s)

Prayer: This Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to modify the onerous conditions order 5.(iii) while executing the bond, the petitioner/appellant/accused is directed to deposit a sum of Rs.10,00,000/- towards the 20 percentage of two cheque amount of Rs.50,00,000/- before the learned Judicial Magistrate, Vaniyambadi in Crl.M.P.No.2045 of 2026 in Crl.A.No.120 of 2026 in S.T.C.No.176 of 2019 order dated om 26.10.2026 passed by District and Sessions Judge at Tirupathur and pass such further order.

For Petitioner(s): Velan M

For Respondent(s): Mr.R.Ganesh Kumar
Additional Public Prosecutor

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ORDER

This Criminal Original Petition has been filed seeking to modify the condition imposed in order dated 26.10.2026 in Crl.M.P.No.2045 of 2026 in Crl.A.No.120 of 2026 in S.T.C.No.176 of 2019.

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 22.09.2026, for the offence punishable under Section 138 of the Negotiable Instrument Act, by the learned Judicial Magistrate, Vaniyambadi in S.T.C.No.176 of 2019 and was sentenced to undergo three months simple imprisonment and to pay a compensation of the cheque amount viz., Rs.50,10,000/- to the complainant, in default to undergo two months simple imprisonment. Aggrieved by the same, the petitioner preferred an appeal in C.A.No.120 of 2026 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 26.10.2026 suspended the sentence alone till the disposal of the appeal on condition to deposit 20% of the compensation amount before the Trial Court

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within a period of two months. Aggrieved by the same, the petitioner filed the present petition.

4. Considering the submissions made on either side and the facts and circumstances of the case, this Court is inclined to delete the condition imposed in Paragraph No.5(iii) of the order dated 26.10.2026 passed in Crl.M.P.No.2045 of 2026 in Crl.A.No.120 of 2026 in S.T.C.No.176 of 2019 . Further, the time is extended for the petitioner to execute the sureties till 30.11.2026.

6. Accordingly, this Criminal Original Petition is ordered.

16-11-2026

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

SMN
Note: The registry is directed to issue order copy on 23.11.2026
To.
1. The Judicial Magistrate, Vaniyambadi
2. The District and Sessions Judge at Tirupathur

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G.K.ILANTHIRAIYAN, J.

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