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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

Case QR

CRL OP No. 33372 of 2026

CNR:{HCMA012718062026}

and

CRL MP No. 21961 of 2026

1. M/s.SLN Enterprises
   Rep by its Proprietor,
   M.Lakshminarayanan,
   S/o Murugesan,
   No.10, 5th Cross Street,
   Sri Devi Karumariamman Nagar,
   Vijaya Nagar, Velacherry,
   Chennai.

2. M.Lakshminarayanan
   S/o Murugesan,
   Prop. M/s.SLN Enterprises,
   No.10, 5th Cross Street,
   Sri Devi Karumariamman Nagar,
   Vijaya Nagar, Velacherry,
   Chennai.

..Petitioner(s)

Vs

A Aswinkumar
S/o K.Aravamudan,
No.G3, Lyrica, Block-C,
Sekaran Nagar, Perumbakkam,
Chennai.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the condition passed in Crl.MP.No.190 of 2026 in Crl.A.No.175 of 2026 that the Petitioner deposit of Rs.17,00,000/-(Rupees Seventeen Lakhs Only),being 20% of compensation

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amount of Rs.85,00,000/- before the trial court and pass any other order or orders as this Hon'ble Court.

For Petitioner(s): Mr.O.Ravi
For Respondent(s): Mr.A.Ashwinkumar (Respondent-in-person)

ORDER

This petition has been filed challenging the order dated 21.08.2026 passed by the learned Sessions Judge, Mahila Court, Chengalpattu, in Crl.M.P.No.190 of 2026 in Crl.A.No.175 of 2026, thereby directing the petitioner to deposit 20% of the compensation amount before the Trial Court within a period of one months.

2. Heard both side and perused the materials available on record.

3. On perusal of the records, it is revealed that the second petitioner was convicted by the judgment dated 25.06.2026, for the offence punishable under Section 138 of the Negotiable Instrument Act, by the learned Judicial Magistrate, Fast Track Court at Magisterial Level, Alandur, in C.C.No.208 of 2023 and was sentenced to undergo one year simple imprisonment and to pay a compensation of the cheque amount viz., Rs.85,00,000/- to the complainant, in default to undergo one month simple imprisonment. Aggrieved by the same, the petitioners preferred an appeal in Crl.A.No.175 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

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21.08.2026 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 one month. Aggrieved by the same, the petitioners 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. Though this Court is not inclined to set aside the order dated 21.08.2026 passed in Crl.M.P.No.190 of 2026 in Crl.A.No.175 of 2026 on the file of the Sessions Judge, Mahila Court, Chengalpattu, this Court is inclined to reduce the deposit amount from 20% to 10% of the compensation and extend the time granted by the Appellate Court for complying with the said order. Further, the petitioner has already been convicted on the complaint lodged by the respondent' father, in which he is also facing conviction and sentence.

6. Accordingly, the petitioner shall deposit 10% of the compensation amount before the Trial Court, on or before 30.11.2026, failing which, the extension of time granted by this Court shall automatically stand cancelled, and

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the Appellate court shall take appropriate action against the accused in accordance with law.

7. Accordingly, this Criminal Original Petition stands dismissed. Consequently, the connected miscellaneous petition is closed.

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

LPP

Note : Issue order copy on 24.11.2026

To

1. The Sessions Judge,
Mahila Court, Chengalpattu.

2. The Judicial Magistrate,
Fast Track Court at Magisterial Level,
Alandur.

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