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Crl. O.P.No.1486 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

Crl. O.P. No.1486 of 2026

and

Crl.M.P.No.939 of 2026

1. Smjhypermart Partnership firm
Rep by its Partnership Ms.Rafeena
Ms.Rameena,
No.9/65,9/66 SMJ Hyper Market,
Punnapra, Alappuzha,
Kerala 688004.

2. Rafeena

3. Rameena

..Petitioners

Vs

Mr.A.Ramalingam (Deceased)
A.Neelavathi
W/o.Arumugam,
Proprietor of M/s.Akash Enterprises.

..Respondent

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C., / 528 of Bharatiya Nagarik Suraksha Sanhita, seeking extension of the order in M.P.No.1/2025 in C.A.No.1083/2025 passed by the XV-Additional District and Sessions Judge dated 09/09/2025 and to review the order and accordingly grant extension for 90 days' time for compliance of the order passed by the learned XV-Additional District and Sessions Judge.



For Petitioners:

Ms.Ambili Menon P

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ORDER

This petition is filed to extend 90 days' time to comply with the conditions imposed in M.P.No.1 of 2025 in C.A.No.1083 of 2025 passed by the XV-Additional District and Sessions Judge vide order dated 09.09.2025 and to review the said order.

2. The brief facts of the case are as follows :-

2.1. The complaint under Section 138 of the Negotiable Instruments Act was filed by the respondent against the petitioners before the learned Metropolitan Magistrate, Fast Track Court No.III, Saidapet, Chennai, in C.C.No.3846 of 2021.

2.2. On 01.08.2025, the trial Court found the petitioners guilty, convicted petitioners 2 and 3 and sentenced them to undergo five months simple imprisonment and further directed them to pay the cheque amount of Rs.44,00,000/- along with 6% interest as compensation, in default to undergo two months simple imprisonment.



2.3. Against the said judgment, the petitioners preferred an appeal in Crl.A.No.1083 of 2025 along with a petition in Crl.M.P.No.1 of 2025 seeking suspension of sentence with respect to petitioners 2 and 3. On 09.09.2025, the XV-Additional District and Sessions Judge, Chennai, while suspending the sentence imposed on the petitioners 2 and 3, directed them to deposit 20 % of the compensation amount before the trial Court within thirty days from the date of the said order. Aggrieved by the same, the present petition has been filed.

3. Learned counsel for the petitioners would submit that though larger prayer has been sought in this petition, now, the petitioners are restricting their prayer only with respect to extension of time. He would further submit that due to financial difficulty, the petitioners were unable to mobilize the amount. Hence, they filed an application in Appl Sr.No.947 of 2025 in M.P.No.1 of 2025 in C.A.No.1083 of 2025 before the XV-Additional District and Sessions Judge seeking extension of time to comply with the condition imposed in M.P.No.1 of 2025 in C.A.No.1083 of 2025. The appellate Court vide docket order dated 17.09.2025, had returned the petition as not maintainable. The learned counsel fairly concedes that however, without challenging the docket order dated 17.09.2025, this petition is filed seeking the relief stated in the opening paragraph. He further submitted that though the petitioners have a good and meritorious case in appeal, without prejudice to their rights, they are ready to deposit 20% of the cheque amount, within a specified time to be fixed by this



Court.

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4. Heard the learned counsel for the petitioners and perused the materials available on record

5. Taking into consideration the submission made by the learned counsel for the petitioners, the time granted in Crl.M.P.No.1 of 2025 in C.A.No.1083 of 2025 by the XV-Additional District and Sessions Judge vide order dated 09.09.2025 stands extended by four weeks from the date of receipt of a copy of this order. It is made clear that no further extension will be granted.

6. The Criminal Original Petition stands disposed of accordingly. Consequently, connected miscellaneous petition is closed.

27-01-2026

Neutral Citation: Yes/No
MRN

To
The XV-Additional District and Sessions Judge



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A.D.JAGADISH CHANDIRA, J.

MRN

Crl. O.P.No. 1486 of 2026

27-01-2026