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Crl.O.P.No.7764 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2026

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.7764 of 2026

1.T.G. Suresh

2.S.S.Gold Works,
Rep., by its Proprietor,
T.G. Suresh

... Petitioners

Vs.

K.C. Jewellers Pvt Ltd.,
Rep., by Pavan Kumar

... Respondent

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to set aside the condition in para No.3 in suspend the sentence order dated 15.09.2025 in Crl.M.P.No.8810 of 2025 in C.A.No.1094 of 2025 on the file of III Additional Sessions Judge, Chennai.

For Petitioners : Mr. N. Saravanan

ORDER

This Criminal Original Petition has been filed seeking to modify the condition No. 3 in Crl.M.P.No.8810 of 2025 in C.A.No.1094 of 2025 on the file of the III Additional Sessions Judge, Chennai.



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2. The complaint under Section 138 of the Negotiable Instruments Act was filed by the respondent against the petitioner before the III Metropolitan Magistrate, George Town, Chennai in C.C.No.2672 of 2019. On 11.08.2025, the trial Court found the petitioner guilty, convicted him and sentenced him to undergo two years simple imprisonment and further directed him to pay the cheque amount of Rs.92,86,900/- as compensation, in default to undergo three months simple imprisonment.

2.1. Against the said judgment, the petitioner preferred an appeal in C.A.No.1094 of 2025 along with a petition in Crl.M.P.No.8810 of 2025 seeking suspension of sentence. On 15.09.2025, the Sessions Judge, Chennai, while suspending the sentence imposed on the petitioner, directed him to deposit 15% of the compensation amount before the trial Court. Aggrieved by the same, the present petition has been filed.

3. Heard the learned counsel for the petitioner.

4. It is seen that the case pertains to the year 2019 and has reached finality only on 11.08.2025, after a period of six years. Though the learned



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counsel for the petitioner submits that the delay was due to Covid 19, the delay appears to be abnormal. Therefore, this Court is not inclined to further reduce the compensation amount of 15%. Accordingly, the direction to deposit 15% of the compensation amount is hereby confirmed.

5. At this juncture, the learned counsel appearing for the petitioner prayed that some reasonable time may be granted to the petitioner to comply with the said condition.

6. Accordingly, the petitioner is directed to deposit 15% of the compensation amount before the trial Court within a period of two weeks from the date of receipt of a copy of this order.

7. With the above directions, this Criminal Original Petition stands disposed of.

27.03.2026

Neutral Citation: Yes/No
AT



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M.NIRMAL KUMAR, J.

AT

To

1.The III Metropolitan Magistrate, George Town, Chennai

2.The III Additional Sessions Judge, Chennai.

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