



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No.34437 of 2025

and

CRL MP No.24131 of 2025

Karthick N

Petitioner(s)

Vs

Balakandhavel

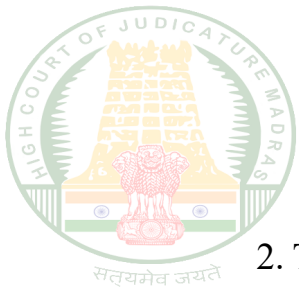
Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 of Cr.P.C., to call for the records and set aside the impugned order dt. 24.07.2025 in Crl.M.P.No. 1776/2025 in C.A.No. 32/2025 on the file of learned Additional District Judge, Chengalpattu and consequently modify the condition passed in Crl.M.P.No. 1165/2025 dated 02.06.2025 and pass such other or further orders as this Court.

For Petitioner(s): Mr.T.Sundara Vadhanan for
Mr.R.Thanjan

ORDER

This Criminal Original Petition has been filed to call for the records and set aside the impugned order dated 24.07.2025 in Crl.M.P.No. 1776 of 2025 in C.A.No. 32 of 2025 on the file of learned Additional District Judge, Chengalpattu and consequently modify the condition passed in Crl.M.P.No. 1165 of 2025 dated 02.06.2025.



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2. The brief fact 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 petitioner before the learned Judicial Magistrate-II, Maduranthagam, in C.C.No.76 of 2023.

2.2. On 10.01.2025, the trial Court found the petitioner/accused guilty, convicted him and sentenced to undergo 6 months simple imprisonment and directed to pay a compensation of Rs.9,00,000/- to the complainant within one month, in default to undergo simple imprisonment for a period of one month.

2.3. Against the said judgment, the petitioner preferred an appeal in C.A.No.32 of 2025 along with a petition in CrI.M.P.No.1165 of 2025 seeking suspension of sentence. On 02.06.2025, the learned Additional District & Sessions Judge, Chengalpattu, while suspending the sentence imposed on the petitioner, directed him to deposit 20% of the compensation amount before the trial Court within a period of 30 days from the date of the said order. Aggrieved by the same, the present petition has been filed.

3. Learned counsel appearing for the petitioner submitted that the petitioner is presently pursuing a law degree and has closed his business. Thus,



he is unable to mobilize the amount directed to be deposited. He further submitted that the petitioner has a good and meritorious case in the appeal.

Therefore, he prayed that the order directing the petitioner to deposit 20% of the compensation amount be set aside.

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

5. This Court is of the view that the appellate Court, on considering the materials available on record, has rightly passed the order suspending the sentence imposed on the petitioner and this Court is not inclined to interfere with the same. However, taking into account the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner, more particularly, the inability of the petitioner in mobilising the amount as directed to be deposited by the appellate Court, this Court is inclined to modify condition No.2 imposed by the learned Additional District and Sessions Judge, Chengalpattu in Crl.M.P.No.1165 of 2025 in Crl.A.No.32 of 2025 dated 02.06.2025. Accordingly, the direction to deposit 20% of the compensation amount is hereby reduced to 10%.

6. 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.

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7. Accordingly, the petitioner is directed to deposit 10% 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 being hosted in the High Court Website.

8. With the above directions, this Criminal Original Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed.

03-06-2026

Jd

Neutral Citation: Yes/No

To

1. The Additional District & Sessions Judge, Chengalpattu.

2. The Judicial Magistrate-II, Maduranthagam.

3. The Public Prosecutor,

High Court of Madras.



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M.NIRMAL KUMAR J.
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