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Crl.O.P.No.500 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2026

CORAM:

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

Crl.O.P.No.500 of 2026

R.Sathya

... Petitioner

Vs.

M.Sudha

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 of Cr.P.C., to modify the condition of depositing 20% of the cheque amount imposed on the petitioner in the order dated 23.10.2025 in Crl.M.P.No.2 of 2025 in C.A.No.1280 of 2025 passed by the XVIII Additional City Civil Court, Chennai.

For Petitioner : Mr.M.Senthil Kumar

ORDER

The present Criminal Original Petition has been filed seeking to modify the condition imposed on the petitioner by the XVIII Additional City Civil Court, Chennai, dated 23.10.2025, in Crl.M.P.No.2 of 2025 in Crl.A.No.1280 of 2025.



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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 petitioner before the learned 27th Metropolitan Magistrate, Saidapet, Chennai, in C.C.No.210 of 2020.

2.2. On 20.09.2025, the trial Court found the petitioner/accused guilty, convicted her and sentenced her to undergo one year simple imprisonment and further directed her to pay a sum of Rs.29,98,400/- as compensation within two months, in default to undergo three months simple imprisonment.

2.3. Against the said judgment, the petitioner preferred an appeal in C.A.No.1280 of 2025 along with a petition in Crl.M.P.No.2 of 2025 seeking suspension of sentence. On 23.10.2025, the XVIII Additional Sessions Judge, City Civil Court, Chennai, while suspending the sentence imposed on the petitioner, directed her to deposit 20 % of the compensation amount before the trial Court within sixty days from the date of the said order. Thereby, the present petition has been filed seeking to modify the said condition.



3. Learned counsel appearing for the petitioner submitted that the appellate Court, while suspending the sentence granted to the petitioner, has imposed an onerous condition directing the petitioner to deposit 20% of the compensation amount. He further submitted that the petitioner, being a house wife, does not have any independent source of income, therefore, she is unable to mobilize the huge amount. Hence, he prayed that the order directing the petitioner to deposit 20 % of the compensation amount may be modified.

4. Having heard the learned counsel for the petitioner and upon perusal of the materials available on record and taking into account the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner, this Court is inclined to modify the condition imposed by the appellate Court vide order dated 23.10.2025 in Crl.M.P.No.2 of 2025 in C.A.No.1280 of 2025, directing the petitioner to deposit 20% of the compensation amount.

5. Accordingly, the direction to deposit 20 % of the compensation amount is hereby modified as 10 %. Therefore, the petitioner is directed to deposit 10 % of the compensation amount before the trial



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Court within a period of **four weeks** from the date of receipt of a copy of this order. It is also made clear that all other conditions remain unaltered.

6. With the above modification, this Criminal Original Petition stands allowed.

12.01.2026

Neutral Citation: Yes/No
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To

1. The XVIII Additional City Civil Court,
Chennai.
2. The 27th Metropolitan Magistrate,
Saidapet, Chennai,



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A.D.JAGADISH CHANDIRA, J.

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