



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-01-2026

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 35032 of 2025

R.Naveen

Petitioner(s)

Vs

R.Vijaya

Respondent(s)

PRAYER

Criminal Original Petition is filed under Section 482 of Cr.P.C./Section 528 of Bharatiya Nagarik Suraksha Sanhita to consider the facts and grounds and order to set aside the order dated 17.11.2025 passed by Learned XX Additional City Civil Court @ Allikulam, Chennai in Crl .M.P.No.1 of 2025 in C.A.No.1361 of 2025 by directing the petitioner/accused to deposit the amount of Rs.4,00,000/- (20% value of the cheque amount).

For Petitioner : Mr.T.G. Ravichandran

ORDER

The present Criminal Original Petition has been filed to set aside the order passed by the XX Additional City Civil Court @ Allikulam, Chennai, dated 17.11.2025, in Crl .M.P.No.1 of 2025 in C.A.No.1361 of 2025.



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 Metropolitan Magistrate, FTC-V, Saidapet, Chennai, in S.T.C.No.1915 of 2024.

2.2. On 13.10.2025, the trial Court found the petitioner/accused guilty, convicted him and sentenced him to undergo eight months simple imprisonment and further directed him to pay the cheque amount of Rs.20,00,000/- as compensation, in default to undergo four months simple imprisonment.

2.3. Against the said judgment, the petitioner preferred an appeal in Crl.A.No.1361 of 2025 along with a petition in Crl.M.P.No.1 of 2025 seeking suspension of sentence. On 17.11.2025, the XX Additional Sessions Judge, City Civil Court, Chennai, while suspending the sentence imposed on the petitioner, directed him to deposit 20 % of the compensation amount before the trial Court within sixty 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's grandfather is suffering from hip bone fracture and has become bedridden and therefore the petitioner, is unable to mobilize the amount. He further submitted that the petitioner has a good and meritorious case in appeal.



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

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4. Having heard the learned counsel for the petitioner and perused the materials available on record, this Court is of the view that the appellate Court, while holding that the petitioner/appellant has made out arguable points in the main appeal, has suspended the sentence and imposed certain conditions. However, taking into account the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner that there are arguable grounds in the appeal and that he has a good case on merits, this Court is inclined to modify condition imposed by the appellate Court in Crl.M.P.No.1 of 2025 in Crl.A.No.1361 of 2025 vide order dated 17.11.2025. Accordingly, the direction to deposit 20 % of the compensation amount is hereby modified as 10 %. It is also made clear that all other conditions remain unaltered.

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 10 % of the compensation amount before the trial Court within a period of **four weeks** from the date of receipt of a copy of this order.



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

05-01-2026

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

Note: Issue Order Copy by 07.01.2026



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To

1. The XX Additional City Civil Court,
Allikulam, Chennai

2. The Public Prosecutor,
Madras High Court, Chennai..

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A.D.JAGADISH CHANDIRA J.
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