



WEB COPY

CRL OP No. 2138 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

CORAM

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

CRL OP No. 2138 of 2026

S.Sriram Kumar

..Petitioner

Vs

P.Preethi

..Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the docket order passed in memo in STC No.5171 of 2024 dated 16.07.2025 by the learned Principal Sessions Judge in Crl.M.P.No.1 of 2025 in C.A.No.376 of 2025 in STC No.5171 of 2024, dated 18.03.2025 and to direct the Metropolitan Magistrate, FTC-II, Egmore @ Allikulam, Chennai to accept the conditional order amount of Rs.1,80,000/- into the credit of STC No.5171 of 2024.

For Petitioner : Mr.M.Saravanakumar

ORDER

This Criminal Original Petition is filed to set aside the docket order dated 16.07.2025 passed in memo in STC No.5171 of 2024 by the learned Principal Sessions Judge in Crl.M.P.No.1 of 2025 in C.A.No.376 of 2025 in STC No.5171 of 2024, dated 18.03.2025 and to direct the Metropolitan Magistrate, FTC-II, Egmore @ Allikulam, Chennai to accept the conditional order amount



of Rs.1,80,000/- into the credit of STC No.5171 of 2024.

2. The learned counsel appearing for the petitioner submitted that the petitioner was convicted for the offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.5171 of 2024 on the file of the learned Metropolitan Magistrate, FTC-II, Egmore at Allikulam, Chennai, and sentenced to undergo one year simple imprisonment and to pay a sum of Rs.9,00,000/- as compensation to the complainant within 30 days, in default, to undergo two months simple imprisonment by judgment dated 01.02.2025. Challenging the said judgment, the petitioner filed an appeal in C.A.No.376 of 2025 before the learned Principal Sessions Judge at Chennai. Along with the appeal, the petitioner filed a petition in CrI.M.P.No.1 of 2025 in C.A.No.376 of 2025 to suspend the sentence pending disposal of the appeal and the said petition was allowed on 18.03.2025 and the sentence of imprisonment imposed on the petitioner was suspended till the disposal of the appeal and the petitioner was ordered to be enlarged on bail on his executing a bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the learned Metropolitan Magistrate, FTC-II, Egmore at Allikulam, Chennai on or before 25.03.2025 with a further direction to deposit 20% of the cheque amount before the trial Court to the credit of STC within six days from the date of the order. However, due to financial constraints and illness, the petitioner was unable to pay the amount within time and thereby, he could not comply with the conditional order. Thereafter, when the petitioner attempted to deposit the amount of



Rs.1,80,000/- before the Metropolitan Magistrate, FTC-II, Egmore @ Allikulam, Chennai, it was rejected vide memo dated 16.07.2025. Therefore, he seeks a direction to the learned Metropolitan Magistrate, FTC-II, Egmore @ Allikulam, Chennai, to accept the conditional order amount of Rs.1,80,000/- to be deposited into the credit of STC No.5171 of 2024.

3. Perused the memo of return dated 16.07.2025 by the learned Metropolitan Magistrate, FTC-II, Egmore @ Allikulam, Chennai.

4. On perusal of the memo of return dated 16.07.2025, it is found that the learned Metropolitan Magistrate, FTC-II, Egmore @ Allikulam, Chennai, had returned the petition with an endorsement that "This petition is returned as the extension of time petition is required to be enclosed." Therefore, the petitioner is directed to re-present the petition along with the petition for extension of time and the learned trial Judge shall accept the amount of Rs.1,80,000/- to be deposited into the credit of STC No.5171 of 2024 as per the conditional order dated 18.03.2025 passed in CrI.M.P.No.1 of 2025 in C.A.No.376 of 2025 by the learned Principal Sessions Judge, Chennai.

5. With the above direction, this Criminal Original Petition stands disposed of. Registry is directed to return the original papers.

02-02-2026

Neutral Citation: Yes/No

SRM

Note: Issue order copy on 04.02.2026



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A.D.JAGADISH CHANDIRA, J.

SRM

To

1. The Principal Sessions Judge, Chennai.
2. The Metropolitan Magistrate, FTC-II, Egmore @ Allikulam, Chennai.

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