



Crl.O.P.No.667 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2026

CORAM:

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

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N.V.S.Ramakrishnan

... Petitioner

Vs.

M.M.Sankar

... Respondent

Prayer: Criminal Original Petition has been filed under Section 528 of BNSS,, 2023, to set aside the condition imposed in 7(ii) by the Hon'ble VI City Civil Court vide order dated 29.10.2025 in Crl.M.P.No.10494 of 2025 passed in Crl.A.No.1247 of 2025.

For Petitioner : Mr.K.P. Anantha Krishna

ORDER

The present Criminal Original Petition has been filed seeking to set aside the order passed by the VI City Civil Court, Chennai, dated 29.10.2025, in Crl.M.P.No.10494 of 2025 in Crl.A.No.1247 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



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learned XXVII Metropolitan Magistrate, Saidapet, Chennai, in C.C.No.752

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2.2. On 15.09.2025, the trial Court found the petitioner/accused guilty, convicted him and sentenced him to undergo one year simple imprisonment and further directed him to pay a sum of Rs.1,19,48,000/- 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 Crl.A.No.1247 of 2025 along with a petition in Crl.M.P.No.107494 of 2025 of 2025 seeking suspension of sentence. On 29.10.2025, the VI Additional Judge, City Civil Court, Chennai, while suspending the sentence imposed a condition on the petitioner that he should deposit 15% 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 is a senior citizen and is facing financial constraints due to heavy business losses incurred during the COVID 19 pandemic. He further submitted that the business has been shut down and that the petitioner



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presently has no source of income. He also submitted that the petitioner has a good and meritorious case in appeal. Therefore, he prayed that the order directing the petitioner to deposit 15% of the compensation amount may be set aside.

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 7(ii) imposed by the appellate Court in Crl.M.P.No.10494 of 2025 in Crl.A.No.1247 of 2025 dated 29.10.2025. Accordingly, the direction to deposit 15% 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.



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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.

19-01-2026

Note: Issue Order Copy on 20.01.2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

rpl

To

1.The VI City Civil Court, Chennai.

2.The XXVII Metropolitan Magistrate, Saidapet, Chennai.



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A.D.JAGADISH CHANDIRA, J.

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