



Crl.O.P(MD)No.1760 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.1760 of 2026

and

Crl.M.P(MD)No.1919 of 2026

S.Bhathrinath

... Petitioner/Petitioner/
Appellant/Accused

Vs.

M/s.Standard Fire Works (P) Ltd.,
Rep.through its Authorized person
V.Amose Jeyasingh.

... Respondent/Respondent/
Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the entire records pertaining to the order passed by the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur in Crl.M.P. No.3964 of 2025 in C.A.No. 203 of 2025 dated 08.01.2026 and set aside the same with regard to the condition of deposit of a sum of Rs.6,45,000/- within 45 days from the date of order for suspension of sentence pending the appeal.

For Petitioner : Mr.M.Kannan



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ORDER

Seeking to set aside the order passed by the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur in Crl.M.P. No.3964 of 2025 in C.A.No.203 of 2025 in C.C.No. 301 of 2017 on the file of the Judicial Magistrate No.I Sivakasi, this criminal original petition is filed.

2. Considering the limited scope of the relief sought for, notice to the respondent is dispensed with.

3. The learned counsel for the petitioner submitted that the petitioner herein is the appellant in C.A.No.203 of 2025 before the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur and the accused in C.C.No.301 of 2017 on the file of the Judicial Magistrate No.I Sivakasi. He further submitted that the petitioner had filed an application under section 430 (1) BNSS for suspension of execution of sentence of imprisonment pending appeal and for bail. However, the appellate Court on hearing either side, had



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directed the petitioner to deposit a sum of Rs.6,45,200/- before the trial Court within a period of 45 days from the date of the order passed in Crl.M.P.No.3964 of 2025 and it was also directed to execute a personal bond for Rs.10,000/- with two sureties. The learned counsel further pointed out that it is not mandatory in all cases to direct the accused to make payments pending appeal against conviction. In this regard, he has relied upon the case of ***Jamboo Bhandari vs M.P. State Industrial Development Corporation Ltd., & Others*** reported in ***2023 (10) SCC 446***. The entire prosecution case *res* on Exhibit P.9 to Exhibit P.12 invoices, which are not in the name of the appellant at all. That apart, the petitioner is also toiling in difficult financial conditions and sought the indulgence of this Court.

4. Considering the above, the impugned order is modified, directing the petitioner to pay an amount of Rs.1,00,000/- (Rupees One Lakh only) before the learned trial Court within a period of four (4) weeks from the date of receipt of copy of this order and the other conditions in the impugned order will remain unaltered.



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5. Accordingly, this Criminal Original Petition is partly allowed.

Consequently, connected Miscellaneous Petition is closed.

30.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

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To

- 1.The Principal District and Sessions Judge,
Virudhunagar District at Srivilliputhur.
- 2.The Judicial Magistrate No.I,
Sivakasi.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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