



Crl.O.P.(MD)No.23278 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 17/02/2026

CORAM

THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.23278 of 2025

and

Cr.MP(MD)Nos.20181 of 2025 & 3621 of 2026

Selvam

... Petitioner/Petitioner/
Appellant/Accused

Vs

Yuvaraj,
S/o.Somasundaram Chettiar,s
P.Thottampatti,
Peraiyur Taluk,
Madurai District.

... Respondent/Respondent/
Respondent/Complainant

PRAYER :-

This petition is filed under Section 528 of BNSS, 2023, to call for the records dated 26.11.2025 passed in Crl.MP.No.5594 of 2025 in Crl.A.No.185 of 2025 on the file of the Principal Sessions Judge, Madurai, Madurai District and set aside the same insofar as relates to the conditional order to deposit 20% of the compensation amount before the learned District Munsif cum Judicial Magistrate, Peraiyur.



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For Petitioner : Mr. R. Suriya Narayanan,
Advocate.

For Respondent : Mr.V.Sivakumar

ORDER

This petition has been filed to quash the conditional order passed in Crl.MP.No.5594 of 2025 in Crl.A.No.185 of 2025 on the file of the Principal Sessions Judge, Madurai, Madurai District, dated 26.11.2025 and set aside the same relates to the conditional order to deposit 20% of the compensation amount before the learned District Munsif cum Judicial Magistrate, Peraiyur.

2. Crl.MP(MD)No.3621 of 2026 has been filed seeking to set aside the Non-bailable Warrant issued against the petitioner in Cl.A.No.185 of 2025, which was dismissed by the trial Court on 06.02.2026 for non-compliance of the conditional order passed by the learned District Munsif cum Judicial Magistrate, Peraiyur.

3. The respondent herein filed a private complaint before the learned District Munsif Cum Judicial Magistrate, Peraiyur, under Section 138 of NIA Act for dishonor of the cheque amount of Rs.5 lakhs and the same was taken on file in S.T.C.No.207 of 2018. After completion of trial, on 27.10.2025, the learned District Munsif Cum Judicial Magistrate, Peraiyur, convicted the



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petitioner for the offence under Section 138 of NIA Act and sentenced him to undergo 6 months Simple Imprisonment and further directed him to pay the compensation amount of Rs.5 lakhs within a period of 3 months in default to undergo 1 month Simple Imprisonment. Challenging the same, the petitioner filed Cr.A.No.185 of 2025 before the learned Principal Sessions Judge, Madurai. Pending the same, he filed a petition in Cr.M.P.No.5594 of 2025 to suspend the execution of sentence passed by the learned District Munsif cum Judicial Magistrate, Peraiyur, in S.T.C.No.207 of 2018. The said Cr.M.P.No. 5594 of 2025 was ordered on 26.11.2025, with a condition to deposit 20% of the compensation amount. Challenging the same, he filed another petition and the same case was adjourned to 04.02.2026. In the meantime, one month time imposed in the said conditional order dated 26.11.2025 was lapsed and hence, the learned Principal Sessions Judge, Madurai, issued a non-bailable warrant against the petitioner on 06.02.2026 pending disposal of this petition.

4. The learned counsel for the petitioner submitted that the petitioner is ready to comply with the order passed by learned Principal Sessions Judge, Madurai, in Cr.MP.No.5594 of 2025 dated 26.11.2025 and the petitioner may be permitted to pay 20% of the compensation amount within a period of one week.



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5. Heard both sides and perused the materials available on record.

6. A careful perusal of the records, it is seen that on 26.11.2025, the learned Principal Sessions Judge, Madurai, passed the conditional order in Cr.MP.No.5594 of 2025 in Cr.A.No.185 of 2025 by directing the petitioner to pay 20 % of compensation amount. Due to the non-payment of the same, Non-bailable Warrant was issued against the petitioner. Now, the petitioner is ready to pay 20 % of compensation amount within a week.

7. Considering the same, the petitioner is directed to appear before the learned District Munsif cum Judicial Magistrate, Peraiyur, and pay 20% of the compensation amount as directed by the learned Principal Sessions Judge, Madurai, in Cr.MP.No.5594 of 2025 in Cr.A.No.185 of 2025 within a week from the date of receipt of a copy of this order, in S.T.C.No.207 of 2018. After complying the same, the petitioner shall file a petition before the learned Principal Sessions Judge, Madurai District, to recall the warrant. The learned Principal Session Judge, Madurai, may recall the same and proceed with the Criminal Appeal and dispose of the same as expeditiously as possible within a period of six months.



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8. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

17.02.2026

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Note : Issue order copy on 18.02.2026

TO

1. The Principal Sessions Judge, Madurai,
Madurai District.
2. The District Munsif cum Judicial Magistrate,
Peraiyur.



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L. VICTORIA GOWRI,J

dss

ORDER
IN
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and
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Date : 17/02/2026