

WEB COPY



Crl.O.P.No. 18240 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2026

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.18240 of 2026
and Crl.M.P.No.12291 of 2026

V.P. Sathish Kumar
Proprietor, M/s. Akshayam Abodes,
Mithulla Apartments,
No.1B, Subramaniam Colony,
Bhubaneswari Nagar,
Valachery, Chennai-600 042.

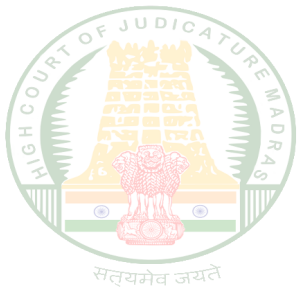
..Petitioner(s)

Vs

N. Latha
D/o. K.Natesan,
No.S1, Lotus Colony, 1st Street,
Nandanam, Chennai-600 035.

..Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to modify the condition imposed in the order dated 06.05.2026 passed in Crl.M.P.No.1 of 2026 in C.A.No.650 of 2026 of 2026 on the file of the learned Principal Sessions Judge, Chennai, Directing the petitioner to deposit 20 percentage of the compensation amount, by reducing the amount to such extent as this Court may deem fit and proper



Crl.O.P.No. 18240 of 2025

For Petitioner(s): A. Bhuvaneswaran

WEB COPY

ORDER

This petition has been filed to modify the condition imposed in the order dated 06.05.2026 passed by the learned Principal Sessions Judge, Chennai, in Crl.M.P.No.1of 2026 in C.A.No.650 of 2026 of 2026 thereby directing the petitioner to deposit 20% of the compensation amount before the Trial Court within a period of 60 days.

2. Heard the learned counsel appearing for the petitioner and perused the materials placed on records.

3. On perusal of the records, it is revealed that the petitioner was convicted by the judgment dated 09.04.2026, for the offence punishable under Section 138 of the NI Act, by the learned XXXVIII Metropolitan Magistrate, (FTC-V), Saidapet, Chennai, in S.T.C.No.3830 of 2022 and was sentenced to undergo nine months simple imprisonment and to pay a compensation of the cheque amount viz., Rs.71,00,000/- to the complainant along with interest at the rate of 3% per annum from the date of dishonour of cheque, in default to undergo three months simple imprisonment. Aggrieved by the same, the petitioner preferred an appeal



Crl.O.P.No. 18240 of 2025

in C.A.No.650 of 2026 along with the petition to suspend the sentence

pending disposal of the appeal. The Appellate Court, while considering

the petition for suspension of sentence, by an order dated 06.05.2026

suspended the sentence on the following conditions :-

(i) That the sentence of imprisonment imposed on the petitioner by the Trial Court is alone suspended till the disposal of the appeal.

(ii) The petitioner shall deposit 20% of the compensation amount before the Trial Court within sixty days from the date of this order and file compliance report in the main appeal.

(iii) That the petitioner/appellant is ordered to be enlarged on bail on executing a bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the learned XXXVIII Metropolitan Magistrate, Fast Track Court-V, Saidapet, Chennai on or before 06.06.2026.”

4. Though, the Hon’ble Supreme Court of India had held that the requirement to deposit of 20% is generally a rule for suspension of sentence, however this Court can reduce or exempt such deposit in certain exceptional or reasoned cases.

5. Whereas, in the case on hand, this Court finds no valid reason or any exceptional circumstance to reduce such deposit. Hence,

Page 3 of 6



Crl.O.P.No. 18240 of 2025

this Court finds no infirmity or illegality in the order passed by the Appellate Court thereby imposing condition to deposit 20% of the compensation amount. However, this Court is inclined to extend the time to comply the order passed by the Appellate Court. Accordingly, the petitioner shall comply the condition imposed in the impugned order dated 06.05.2026 passed by the learned Principal Sessions Judge, Chennai, in Crl.M.P.No.1 of 2026 in C.A.No.650 of 2026 of 2026, on or before 21.08.2026.

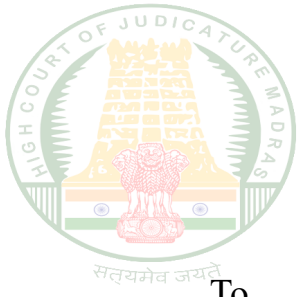
6. Accordingly, the Criminal Original Petition stands disposed. Consequently, the connected miscellaneous petition is closed.

14.08.2026

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

*Note : Issue order copy today
i.e., on 14.08.2026*

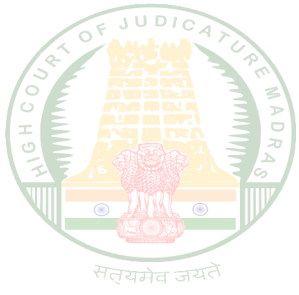
rts



Crl.O.P.No. 18240 of 2025

To
WEB COPY

1. The Principal Sessions Judge,
Chennai.
2. The XXXVIII Metropolitan Magistrate,
(FTC-V), Saidapet, Chennai.



WEB COPY



Crl.O.P.No. 18240 of 2025

G.K.ILANTHIRAIYAN, J.

rts

Crl.O.P.No.18240 of 2026
and Crl.M.P.No.12291 of 2026

14.08.2026