

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THURSDAY, THE TWELFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 1803 OF 2026

Between:

Kandhukur Srinivasulu S/o. Saibaba, Age. 46 years, Occ. Railway Employee,
Parcel Department, Gudur Railway Station, Gudur Town, Tirupati District,
Andhra Pradesh.

...PETITIONER/PETITIONER/ACCUSED IN C.C.N.I. 84/2024

AND

1. The State of Telangana,, Through Public Prosecutor, High Court for the State of Telangana, Hyderabad.

...RESPONDENT No. 1

2. Pallavula Bharath Kumar Reddy S/o. Venkatanarayana Reddy, Age. 30 years, Occ. Accountant, Pent House No.21-147/1, Near YSR statue, Balaji Nagar, Kukatpally, Hyderabad

**...RESPONDENT No. 2/RESPONDENT/COMPLAINANT
(COMPLAINANT IN C.C.N.I.84/2024)**

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to Quash the impugned order dated 15.12.2025 passed in Cr1.M.P.No.2383 of 2025 in CrI.A.No.630 of 2025 by the Court of the Special Judge for Trial of offences under S.Cs and STs (POA) Act-cum-VI Addl. Sessions Judge, Secunderabad to the extent of directing the petitioner to deposit 20% of the compensation amount or to modifying the impugned order dated 15.12.2025 passed in CrI.M.P.No.2383 of 2025 in CrI.A.No.630 of 2025.

I.A. NO: 1 OF 2026

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to suspend the operation of the Order dated 15.12.2025 passed in

Crl.M.P.No.2383 of 2025 in Crl.A.No.630 of 2025 by the Court of the Special Judge for Trial of offences under SCs and STs (POA) Act-cum- VI Addl. Sessions Judge, Secunderabad to the extent of depositing 20% of the compensation amount pending disposal of the Criminal Petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M. Mohan Rao, Advocate for the Petitioner, Sri M. Vivekananda Reddy, Assistant Public Prosecutor on behalf of the Respondent No. 1 and of none appeared for the Respondent No. 2.

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.1803 of 2026

Date: 12.02.2026

Between:

Kandhukur Srinivasulu

...Petitioner

AND

The State of Telangana,
Through Public Prosecutor,
High Court for the State of
Telangana, Hyderabad and another

...Respondents.

ORDER

This Criminal Petition is filed by the petitioner/appellant/accused questioning the order dated 15.12.2025 passed by the learned Special Judge for Trial of Offences under SCs and STs (POA) Act-cum-VI Additional Sessions Judge, Secunderabad, in Crl.M.P.No.2383 of 2025 in Crl.A.No.630 of 2025 in C.C.NI.No.84 of 2024, on the ground that the Sessions Judge imposed an onerous condition.

2. Heard Mr.M.Mohan Rao, learned counsel for the petitioner and Mr.M.Vivekananda Reddy, learned Assistant Public Prosecutor for respondent No.1.

3. Learned counsel for the petitioner submitted that the learned trial Court convicted the petitioner for the offence under Section 138 of the Negotiable Instruments Act, 1881 (for short 'NI Act') and sentenced him to undergo simple imprisonment for a period of one year and to pay compensation of double the cheque amount i.e. Rs. 10,00,000/-, in default of which, to undergo simple imprisonment for a period of three months. Aggrieved thereby, the petitioner preferred an appeal before the learned Sessions Judge, who, while suspending the sentence imposed by the trial Court, imposed a condition directing the petitioner to deposit 20% of the compensation amount as laid down under Section 148 of the NI Act, within 60 days from the date of the order.

4. Learned Assistant Public Prosecutor submitted that, in similar circumstances, this Court by placing reliance upon the principle laid down by the Hon'ble Supreme Court in *Sanjabij Tari v. Kishore S. Borcar*¹, has reduced the compensation amount from 20% to 10%.

5. Taking into consideration the submissions made by the respective parties and the principle laid down by Hon'ble Supreme Court in *Sanjabij Tari* (supra), the impugned order dated 15.12.2025 passed by the learned Special Judge for Trial of Offences under SCs and STs

¹ 2025 SCC OnLine SC 2069

(POA) Act-cum-VI Additional Sessions Judge, Secunderabad, in Crl.M.P.No.2383 of 2025 in Crl.A.No.630 of 2025 in C.C.NI.No.84 of 2024 is modified, directing the petitioner to deposit 10% of the compensation amount within a period of four (04) weeks from today. In default of depositing the said amount within the stipulated period, the impugned order shall stand vacated automatically.

6. Accordingly, the criminal petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

Sd/- AHMED ABDULLA KHAN
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Special Judge for Trial of offences under S.Cs and STs (POA) Act-cum-VI Additional Sessions Judge, Secunderabad
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to Sri M. Mohan Rao, Advocate [OPUC]
4. Two CD Copies

VH/kam

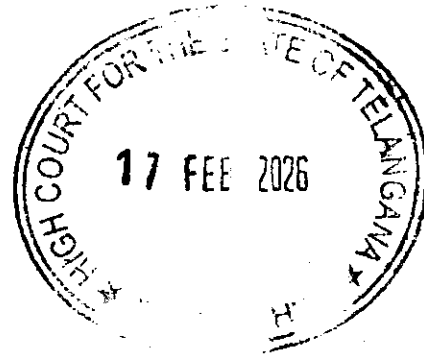


HIGH COURT

DATED: 12/02/2026

ORDER

CRLP.No.1803 of 2026



**DISPOSING OF THE
CRIMINAL PETITION**

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12/2/26