

**IN THE COURT OF SESSION (VACATION COURT),
ERNAKULAM DIVISION**

Present:

**Sri. Madhusoodanan T/Special Judge (Idamalayar
Investigations)/Additional District & Sessions Judge-V, Ernakulam
(Judge, Vacation Court)**

Saturday, the 25th day of April, 2026/5th Vysakha, 1948

Crl.MP No.02/2026 in Crl.Appeal No.225/2026

(Against the judgment dated 30.03.2026 in CC No.3251/2019 on the file
of Judicial First Class Magistrate Court (NI Act), Ernakulam)

**Appellant/
Petitioner:**

Anil Kumar Chinnappan, aged 45 years, S/o.
Chinnappan, Proprietor Padma Associates,
Erappanal, Paingottoor Post Kulappuram,
Ernakulam- 686 671

By Adv. K.C. Bineesh

**Respondent/
Complainant:**

1. HDB Financial Services Ltd., 2nd Floor, Chaithanya Building Opp. Swapnil Apartments, K.K. Road, Kadavanthra, Kochi -682 017, represented by its Legal Officer Mr. Pratheesh A.C., aged 35 years, S/o. Chandran.
2. State of Kerala, represented by Public Prosecutor, District & Sessions Court, Ernakulam-682011.

By Public Prosecutor Sri. Anvar Basheer

This petition filed by the counsel for the appellant to waive deposit 20% of the fine awarded by the trial court.

This petition coming on for hearing on 25.04.2026 and the Court on the same day passed the following:

ORDER

This application is filed by the appellant seeking exemption from depositing 20% of the fine amount.

2. As per the judgment dated 30.03.2026 the petitioner was sentenced to undergo imprisonment till rising of the court and to pay fine of Rs.83,258/-. In default of payment of fine the accused was directed to undergo imprisonment for a period of three months. Aggrieved by the said conviction and sentence the appellant has filed the present appeal. Along with the appeal, the appellant has filed this petition Seeking exemption from depositing 20% of the fine amount.

3. Heard the counsel for the appellant.

4. The appeal has been admitted. On going through the appeal memorandum, it is evident that the petitioner has an arguable case. The case of the petitioner is that, he is the only earning member of his family. Therefore, I am of the view that directing him to deposit 20% of the cheque amount would amount to a deprivation of his right to appeal. Hence, there is a special reason to exempt the petitioner from depositing 20% of the cheque amount for suspending the sentence.

5. In the result, the petition is allowed and the petitioner is exempted from depositing 20% of the fine amount for suspending the sentence imposed on him.

Dictated to Adalat AI, corrected and pronounced by me in open court on this the 25th day of April 2026.

Sd/-

Madhusoodanan T
Judge, Vacation Court

Typed by: Sindhu S.T

Comp.by:

\\True copy\\
(By Order)

Vacation Officer

**Crl.MP No.01/2026 in
Crl.Appeal No.225/2026
Order dated: 25.04.2026**