

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.4.2015

CORAM

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Criminal Revision Petition No. 290 of 2015

E.Vijayakumar

... Petitioner

Versus

P.Ramesh Babu

... Respondent

Criminal Revision Petition filed under Section 397 and 401 of Cr.P.C. to set aside the order dated 24.2.2015 passed in M.P.No.493 of 2015 in Criminal Appeal No.5 of 2015 passed by the Principal District and Sessions Judge, Vellore insofar as the imposition of deposit of 1/4th compensation amount into Court.

For Petitioner : Mr.P.V.Sudakar

ORDER

By consent, the Criminal Revision Case itself is taken up for final disposal at the time of admission.

2. The revision petitioner is the accused and the respondent is the complainant.

3. The petitioner is the accused in C.C.No.153 of 2013 on the file of the Judicial Magistrate, Fast Track Court, Vellore, and he was convicted for the offence punishable under Section 138 of the Negotiable Instrument Act, 1988 and sentenced to undergo 1 year simple imprisonment and to pay fine of Rs.5,000/- and in default to undergo three months simple imprisonment and to pay compensation of Rs.8,00,000/- and in default to pay compensation, to undergo three months simple imprisonment. Against which, the petitioner / accused preferred a Criminal Appeal in CrI.A.No.5 of 2015. Pending Appeal, the petitioner accused filed a petition under Section 389 (1) of Cr.P.C. in M.P.No.493 of 2015 seeking stay of the conviction of the trial Court. The Principal District and Sessions Judge, Vellore, while granting stay of the order of conviction of the trial Court, has imposed a condition to deposit 1/4th of the compensation amount ordered by the trial Court. Aggrieved by the said order, the petitioner /accused is before this Court.

4. Today, when the Criminal Revision case is taken up for hearing, after elaborate arguments, the learned counsel for the revision petitioner /accused submits that the petitioner/ accused would be satisfied if some more time is granted for complying with the conditions imposed by the appellate Court.

5. Considering the above submission, three weeks time from today is granted to the petitioner/accused to comply with the conditions imposed by the appellate Court. It is made clear that time alone is extended and no further time will be granted to the petitioner / accused to comply with the conditions imposed by the appellate Court.

6. With the above direction, the Criminal Revision case is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal District and Sessions Judge,
Vellore.

2.The Judicial Magistrate,
Fast Track Court,
Vellore.

Cr1 RC No. 290 of 2015

KJI (CO)
CA(25/05/2015)

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