

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.14 of 2016

ORDER:

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This Criminal Revision Case is filed by the petitioner aggrieved by the order dated 28.12.2015 passed in Memo SR.No.4245 of 2015 in CrI.M.P.No.1406 of 2015 in C.A. No.605 of 2015 by the I Additional District & Sessions Judge, East Godavari District at Rajahmundry.

Originally, the petitioner was convicted for the offence under Section 138 of Negotiable Instruments Act in C.C.No.190 of 2014 by the II Additional Judicial First Class Magistrate, Rajahmundry and was sentenced to undergo S.I. for six months and to pay an amount of Rs.1,49,290/- towards compensation, in default, to suffer S.I. for one month. On appeal being preferred by him, the lower appellate Court by order dated 21.12.2015 while granting bail, directed him to deposit a sum of Rs.40,000/- towards part of compensation on or before 28.12.2015. However, the petitioner could not deposit the said amount within the stipulated time and he sought for extension of time by filing a memo. By the impugned order, the Court below refused to extend the time. Hence, the revision.

Considering the facts and circumstances of the case, the impugned order is set aside and the Court below is directed not to insist the petitioner for deposit of Rs.40,000/- towards part compensation and shall proceed with the appeal and dispose of the same in accordance with law.

With the above direction, the revision is disposed of.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

05 January, 2016

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THE HONOURABLE SRI JUSTICE RAJA ELANGO

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CRIMINAL REVISION CASE No.2110 of 2015

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