

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fifth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice R. SURESH KUMAR

CRIMINAL MISCELLANEOUS PETITION No.11200 & 11201 of 2017

IN CRL RC.981/2017

RAJANPURI

[PETITIONER]

Vs

RAVINDRAKUMAR AGARWAL

[RESPONDENT]

Petitions praying that in the circumstances stated therein the High Court will be pleased

(i) To modify the condition imposed on the petitioner in Crl.M.P.No.9212/2017 in Crl.R.C.No.981/2017 by its order dated 25.7.2017.[IN CRL.M.P.No.11200/2017]

(ii) To extend the time granted to the petitioner for a further period of four weeks to comply with the condition imposed on the petitioner in Crl.M.P.No.9212/2017 in Crl.R.C.NO.981/2017 by its order dated 24.7.2017 by this Honble court.[IN CRL.MP.11201/2017]

Order : These petitions coming on for orders upon perusing the petition and upon hearing the arguments of M/S.I.C.VASUDEVAN, Advocate for the petitioner the court made the following order:-

These petitions have been filed to modify the order dated 25.07.2017 passed by this Court in Crl.M.P.No.9212 of 2017 in Crl.R.C.No.981 of 2017 and to extend the time granted to the petitioner for a further period of four weeks to comply with the condition imposed on the petitioner in the above said order.

2. By the said order dated 25.07.2017, this Court has directed the petitioner to pay 50% of the cheque amount within a period of four weeks from the date of that order. Since the cheque amount being a sum of Rs.5,00,000/- (Rupees five lakhs only), the petitioner has to pay a sum of Rs.2,50,000/- (Rupees two lakhs fifty thousand only) as per the said order.

3. However, Mr. I.C.Vasudevan, learned counsel appearing for the petitioner, today, submits that in spite of the best efforts taken by the petitioner, he is not able to mobilize the fund as he is earning very meager amount every month out of his job in textile company. Therefore, if the said condition is modified to a lesser amount, the petitioner shall be able to mobilize the fund and deposit the same.

4. Considering the said submission made by the learned counsel appearing for the petitioner, the order dated 25.07.2017, in so far as the condition of payment of 50% of the cheque amount within a period of four weeks from the date of the said order, is modified as follows :- The substantive sentence imposed against the petitioner is alone suspended on condition that the petitioner shall deposit a sum of Rs.1,50,000/-(Rupees one lakh fifty thousand only) within a period of four weeks from the date of the receipt of a copy of this order to the credit of S.T.C.No.210 of 2012 on the file of the learned Judicial Magistrate, Fast Track Court No.II, Erode. Insofar as the other conditions, imposed in the said order at paragraph No.2, will stand as it is.

5. With this modification, these petitions are ordered.

-sd/-
05/09/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE
FAST TRACK COURT NO. II, ERODE.

2 THE ADDITIONAL SESSIONS
MAGALIR NEETHI MANDRAM, (FAST TRACK MAHILA
COURT), ERODE, ERODE DISTRICT.

+1C.C. to M/S.I.C.VASUDEVAN Advocate on payment of necessary charges SR.NO. 17038

Order

in
CRL MP.11200 & 11201/2017

in
CRL RC.981/2017

Date :05/09/2017

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EGR 11/09/2017