

Crl.M.P.No.13660 of 2017
in Crl.R.C.No.888 of 2016

Dr.S.VIMALA, J.

This petition has been filed by the petitioner/accused seeking permission to withdraw the amount of Rs.1,21,500/-, which has been deposited by him as directed by this Court.

1.1. The respondent herein is the complainant, who filed the complaint under Section 138 of the Negotiable Instruments Act, in C.C.No.201 of 2013, on the file of the Judicial Magistrate, Mettupalayam.

1.2. The trial Court, by its Judgment dated 18.03.2013, convicted the petitioner/accused to undergo rigorous imprisonment for a period of one year and also directed to pay the cheque amount of Rs.96,500/- as compensation along with additional compensation of Rs.25,000/-. Challenging the same, the accused had preferred an Appeal in Crl.A.No.58 of 2013 before the IV Additional Sessions Judge, Coimbatore.

1.3. The learned Additional Sessions Judge modified the sentence to six months simple imprisonment. Aggrieved over the same, the accused has preferred this revision case.

1.4. This Court, by an order dated 20.06.2016, directed to pay a sum of Rs.1,21,500/- before this Court. Accordingly, the accused has deposited the amount on 20.06.2016.

1.5. Now, this Criminal Revision Case itself has been allowed by this

Court, by an order dated 01.02.2017. The name of the petitioner, V.George has also been modified as V.George, by an order dated 30.08.2017.

2. It is represented by the learned counsel for the petitioner/accused that the Registry has refused to return the deposited amount on the ground that there is no direction for refund of the amount to the petitioner, based on the Judgment dated 01.02.2017 and that has compelled the petitioner to move this Court, seeking permission to get the return of the amount.

3. The learned counsel for the respondent has no objection to return the amount.

4. In view of no objection having been made by the learned counsel for the respondent and also in view of the fact that the Judgment on 01.02.2017 has not yet been challenged further, the amount of Rs.1,21,500/- is directed to be returned to the petitioner forthwith and this petition is ordered accordingly.

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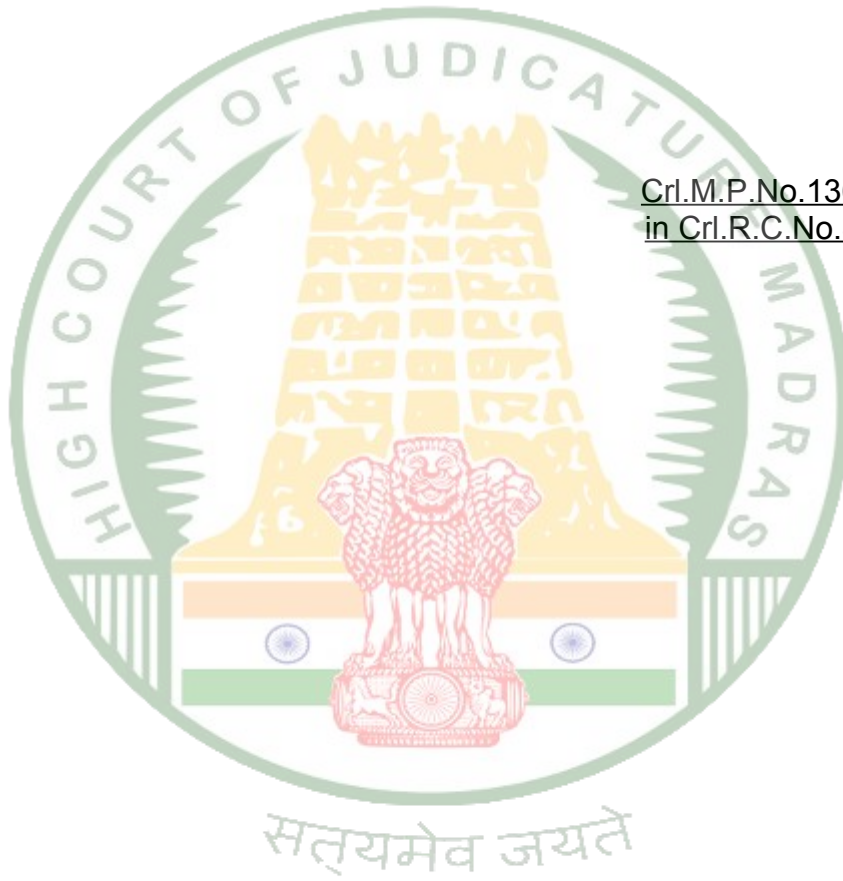
07.11.2017

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Note : Issue order copy on 08.11.2017

Dr.S.VIMALA, J.

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