

HON' BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.2605 of 2017

**ORDER:**

This criminal petition is filed by the petitioner/ A.4 under Section 439(1)(b) of Cr.P.C., to relax the conditions imposed by the appellate court i.e., Additional Metropolitan Sessions Judge, Cyberabad at L.B. Nagar, in CrI.M.P.No.36 of 2017 in CrI.A.No.301 of 2017 dated 10.03.2017, where under the Sessions Judge while suspending the operation of sentence of imprisonment, directed the petitioner to deposit 1/4<sup>th</sup> of the compensation awarded by the trial court. The present petition is filed to relax the said condition of depositing of 1/4<sup>th</sup> of the compensation awarded on the ground that he is a retired employee and has no means to deposit the amount as directed. Therefore, he sought for relaxation of such condition.

2. The petitioner was found guilty for the offence punishable under Section 138-A of Negotiable Instruments Act and directed to undergo simple imprisonment for a period of six months and to pay a compensation of Rs.6,00,000/- and the said sentence of imprisonment was suspended by the appellate court. However the appellate court directed to deposit only 1/4<sup>th</sup> amount of compensation i.e., Rs.1,50,000/-. But the contention of the petitioner is that he is a retired employee and has no means to pay the amount. That is not a ground to relax such condition, since the amount directed to be deposited by the Sessions Judge is just and reasonable and hence, I do not find any ground to entertain this petition and the same is liable to be dismissed.

3. Accordingly, the criminal petition is dismissed.

M. SATYANARAYANA MURTHY, J

Date: 04.04.2017  
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