

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Thirty First day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL MISCELLANEOUS PETITION No.10075 of 2018

IN CRL RC.437/2017

K.RAGHAVAN NAIDU,

[PETITIONER]

Vs

S.SOUNDARAJAN

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to direct the lower court to receive the payments and further payments as directed by this Hon'ble Court in order date 06/07/2018 in Crl.M.P.8499/2018 in Crl.R.C.No.437 of 2017 as directed by this Hon'ble Court.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.K.JAMUNA, Advocate for the petitioner AND OF M/S.ELIZABETH RAVI, Advocate for the Respondent the court made the following order:-

This petition is filed by the petitioner, who is the respondent in the above Criminal Revision Case, praying to issue appropriate direction to the Judicial Magistrate (Fast Track Court) Vellore to receive the payments as directed by this Court in the order dated 06.07.2018 passed in Crl.M.P. No. 8499 of 2018 in Crl.R.C. No. 437 of 2017.

2. By order dated 06.07.2018 passed in Crl.M.P.No.8499 of 2018, this Court extended the time for compliance of the conditional order dated 28.04.2018 passed in Crl.M.P. No. 16133 of 2017 in Crl.R.C. No. 437 of 2017.

3. By the said order dated 28.04.2018, this Court directed observed that "in addition to a sum of Rs.5,00,000/- which was already deposited by the accused pending disposal of the criminal appeal before the Sessions Court, the revision petitioner viz., the respondent herein/accused is directed to deposit another sum of Rs.15,00,000/- before the trial court, within a period of eight weeks from today."

4. Subsequently, the petitioner filed Crl.M.P. No. 8499 of 2018 for modification by citing medical grounds. By order dated 06.07.2018 in Crl.M.P. No. 8499 of 2018, this Court modified the conditional

order dated 28.04.2018 as follows:-

"Rs.3,00,000/- has to be paid within one week from today and another Rs.3,00,000/- within two weeks from today and another Rs.3,00,000/- within three weeks from today and another Rs.3,00,000/- within four weeks from today and another Rs.3,00,000/- within five weeks from today. If one of the above installments is not paid, the suspension of sentence of imprisonment already granted will stand automatically vacated."

5. Now, the learned counsel for the petitioner submitted that the petitioner has filed the present petition since he could not receive the copy of the order passed on 06.07.2018 in Crl.M.P. No. 8499 of 2018 in time. It is further stated that the petitioner is ready and willing to comply with the order dated 06.07.2018 in Crl.M.P. No. 8499 of 2018. Further, on 13.07.2018, he offered to pay Rs.3,00,000/- along with an affidavit and memo, but the Court below refused to receive the same on the ground that the amount ought to have been paid on 12.07.2018 itself and not on 13.07.2018.

6. Taking note of the above submission of the counsel for the petitioner, this petition is ordered as prayed for. The earlier order dated 06.07.2018 in Crl.M.P. No. 8499 of 2018 is modified permitting the petitioner to pay the first installment of Rs.3,00,000/- on or before 07.08.2018, second installment of Rs.3,00,000/- on or before 13.08.2018, third installment of Rs.3,00,000/- to be paid on or before 16.08.2018, fourth installment of Rs.3,00,000/- payable before 23.08.2018 and fifth installment of Rs.3,00,000/- on or before 27.08.2018. If any one of the above installments is not paid, the suspension of sentence already granted will stand vacated automatically.

-sd/-

31/07/2018

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

TRUE COPY
WEB COPY

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

*** CORRECTED ORDERED SUBSTITUTED FOR THE ORDER ALREADY DESPATCHED ON 02/08/2018**

TO

1 THE JUDICIAL MAGISTRATE,
(FAST TRACK COURT), VELLORE.

2 THE PRINCIPAL DISTRICT AND
SESSIONS COURT, VELLORE.

+1 C.C. to M/S.ELIZABETH RAVI, Advocate on payment of necessary charges -Sr.14291

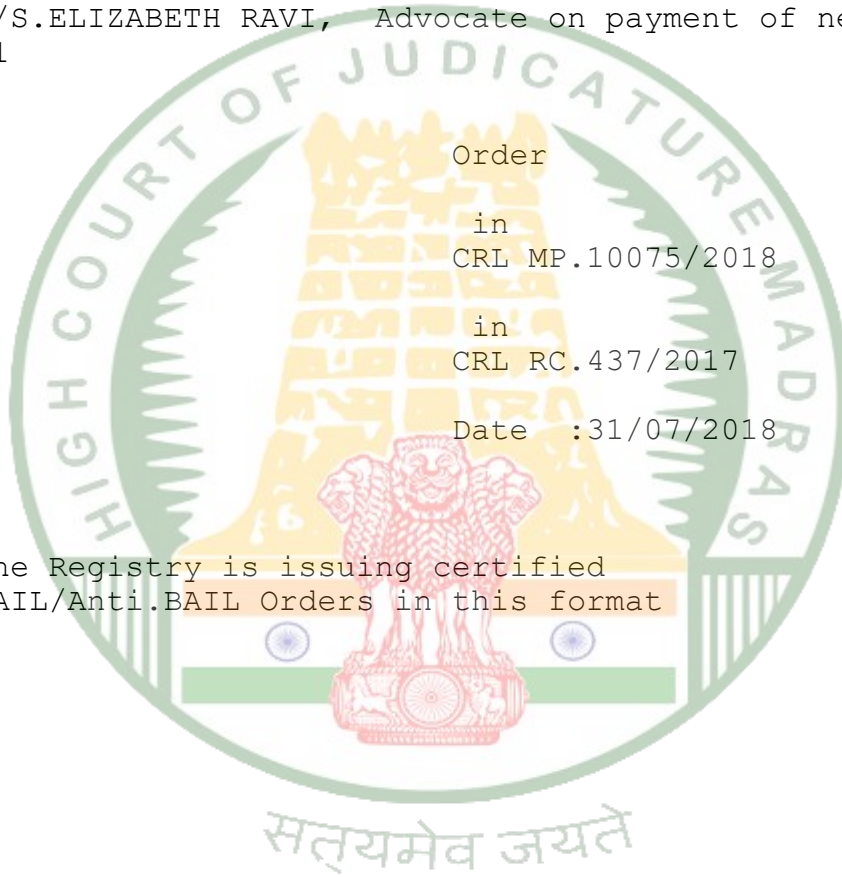
Order

in
CRL MP.10075/2018

in
CRL RC.437/2017

Date :31/07/2018

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
ths : 01.08.2018
ths : 02.08.2018



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