IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

CRL.O.P.No.2420 of 2018

M.Balasubramaniam ...Petitioner

Vs

1.V.Kannappan

2.State by
Inspector of Police,
Udumalpet Police Station,
Udumalpet. ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to set aside the order made in Crl.A.S.R.No.11133 of 2017, on the file of Principal District and Sessions Judge, Tirupur dated 15.12.2017.

For Petitioner :Mr.C.Veeraraghavan
For Respondents :No Appearance for R1
Mrs.P.Kritika Kamal
Government Advocate (Crl.Side) for R2

O R D E R

The prayer in the present petition is to set aside the order made in Crl.A.Sr.No.11133 of 2017, on the file of Principal District and Sessions Judge, Tirupur dated 15.12.2017.

2. The return of the Appeal papers on the ground that the fine amount has not been deposited is improper and there is no law empowering the Appellate Court registry to make deposit as a pre-condition for filing of Appeal.

3. In such circumstances, the learned Principal District and Sessions Judge, Tirupur is directed to take the Criminal Appeal No.11133 of 2017 on file, if it is otherwise in order, without insisting for pre-deposit for the purpose of filing the appeal papers seeking suspension of sentence. The learned Principal District and Sessions Judge, Tiruppur shall consider the appeal on its own merits and pass appropriate orders. Registry is directed to return the original order copy.

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The Criminal Original Petition is ordered accordingly.

Assistant Registrar
Dt.15.2.18

//True Copy//

Sub Assistant Registrar

To
1. The Inspector of Police, Udumalpet Police Station, Udumalpet.

2. The Public Prosecutor, High Court, Madras.

+1 cc to Mr.C.Veeraraghavan,advocate,sr7608

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