

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.17705 of 2018

N.Jayakumar

... Petitioner

Vs

1. The State Rep. by
The Inspector of Police
M4, Thudiyalur Police Station,
Coimbatore - 641 034.

2. T.Vadivel ...Respondents

Criminal Original Petition has been filed under Section 482 Cr.P.C. to modify the conditional order passed by the Principal District and Sessions Judge, Coimbatore in Crl.MP.No.1502 of 2018 in C.A.No.202 of 2018 dated 31.05.2018 by extending the time limit from two weeks to further more period of two weeks.

For Petitioner : Mr.A.Deivasigamani

For Respondents : Mrs.Kritika Kamal.P.
Government Advocate (Crl.Side)

For R1

ORDER

This Criminal Original Petition has been filed to modify the conditional order dated 31.05.2018 passed by the Principal District and Sessions Judge, Coimbatore, in Crl.MP.No.1502 of 2018 in C.A.No.202 of 2018.

2. The petitioner was convicted and sentenced in C.C.No.80 of 2016 by the Judicial Magistrate, Fast Track Court (Magisterial Level-II), Coimbatore for the offence under Section 138 of the Negotiable Instruments Act, 1881, on 27.04.2018. Challenging the said condition, the petitioner filed C.A.No.202 of 2018 and also filed Crl.M.P.No.1502 of 2018 seeking suspension of sentence, in which, the Vacation Sessions Judge, Coimbatore, by order dated 31.05.2018, suspended the sentence of imprisonment with a direction to the petitioner to surrender before the trial Court, within two weeks and execute a bond for Rs.10,000/- with two sureties. The Sessions Court had further directed the petitioner to deposit a sum of Rs.10,000/- before the trial Court. Seeking extension of time, the petitioner

filed a petition before the Sessions Court, which has been returned since it was filed after 14.06.2018. Hence, the petitioner is before this Court.

3. The learned counsel for the petitioner submitted that the petitioner is a poor person and he did not have means to raise the money.

4. Accepting his submission, two weeks time is extended from the date of receipt of a copy of this order to comply with the order dated 31.05.2018 passed by the Vacation Sessions Judge, Coimbatore in CrI.MP.No.1502 of 2018 in C.A.No.202 of 2018. A sum of Rs.10,000/- has also to be deposited by the petitioner, as directed by the Sessions Court.

With the above modification, this petition is ordered, accordingly.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal and District and Sessions Judge,
Coimbatore.
2. The III Additional District & Sessions Judge,
Coimbatore.
3. The Judicial Magistrate,
Fast Track Court (Magisterial Level No.II)
Coimbatore.
4. The Inspector of Police
M4, Thudiyalur Police Station,
Coimbatore - 641 034.

5. The Public Prosecutor
High Court, Madras.

+lcc to Mr.A.Deivasigamani, advocate sr.no.45465

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