

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 11.10.2018

CORAM :
THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P.No.24023 of 2018

B.Geetha

...Petitioner

-Vs-

1. R.Ponnusamy

2. The State

Rep. By the Public Prosecutor

I Additional District & Sessions Court,
Coimbatore.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to direct the Principal District and Sessions Court,
Coimbatore to extend the time limit to pay part of the
compensation amount, execute bond and furnish sureties by at
least 3 weeks in Crl.M.P.No.2430 of 2018 in C.A.No.339 of 2018.

For Petitioner : Mr.S.B.Viswanathan

For Respondents: Ms.M.Prabhavathi (For R2)
Additional Public Prosecutor

O R D E R

The petitioner was convicted in C.C.No.156 of 2016 on
18.07.2018 by the learned Judicial Magistrate, Fast Track Court
No.I, Coimbatore under Section 138 of the Negotiable Instruments
Act and was sentenced to undergo simple imprisonment for a
period of six months and pay the compensation of Rs.4,00,000/-
being the Cheque amount as compensation to the complainant
within two months from the date of the judgment.

2.The Trial Court suspended the sentence of
imprisonment under Section 389(1) Cr.P.C. The petitioner filed
Criminal Appeal No.339 of 2018 before the Sessions Court,
Coimbatore and in Crl.M.P.No.2430 of 2018, prayed for suspension
of sentence and bail.

3.The learned Sessions Judge, Coimbatore by order dated
21.08.2018 has suspended the sentence pending disposal of
C.A.No.339 of 2018 on certain conditions, one of which is that
the petitioner should deposit Rs.40,000/- towards part

compensation amount before the Lower Court within a period of two weeks. Since the petitioner did not comply with the said condition within two weeks, he filed an application for extension of time after the expiry of two week period, which has been returned by the Sessions Court and therefore, the petitioner is before this Court.

4.Heard the learned counsel for the petitioner who submitted that on account of financial constrains, the petitioner was not able to deposit Rs.40,000/- within the said time period.

5.In view of the above, two weeks time is extended from the date of receipt of a copy of this order to comply with condition No.(ii) of the order dated 21.08.2018 in Crl.M.P.No.2430 of 2018 in C.A.No.339 of 2018. Rest of the conditions shall remain the same.

With the above direction, this petition is ordered.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Judge,
Principal District and Sessions Court,
Coimbatore.

2.The Public Prosecutor,
The State of Tamil Nadu,
I Additional District & Sessions Court,
Coimbatore.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.B.Viswanathan, Advocate, S.R.No.70376

CRL.O.P.No.24023 of 2018

rrs 22/10/2018