



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Tenth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL MP(MD) Nos.1989 & 1990 of 2018
IN
CRL RC(MD) No.151 of 2018

T.BALASUBRAMANIAN @ SARATH BALA

... REVISION PETITIONER
IN BOTH THE PETITIONS

Vs

M.SOUNDARAPANDIAN

... RESPONDENT
IN BOTH THE PETITIONS

Prayer in CRL MP(MD). 1989/ 2018 :

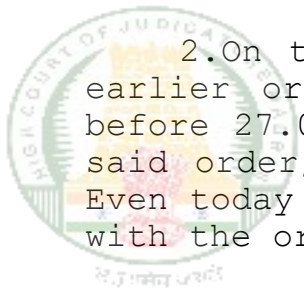
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to Suspend the Sentence in the Judgment passed by the II Additional District Judge, Tuticorin in C.A.No.03 of 2017 dated 15.02.2018 wherein it has confirmed the conviction of the Fast Track Court Magistrate Level, Tuticorin in C.C.No.113 of 2015 dated 23.12.2016.

Prayer in CRL MP(MD). 1990/ 2018 :

To grant an Exemption of Surrender in C.A.No.03 of 2017 on the file of the II Additional District Judge, Tuticorin through a Judgment dated 15.02.2018 in C.C.No.113 of 2015 on the file of the Fast Track Court Magistrate Court Level, Tuticorin through a Judgment dated 23.12.2016.

Order : These petitions coming on for orders upon perusing the petitions filed in support thereof and upon hearing the arguments of M/S.KA.RAAMA KRISHNAN, Advocate for the petitioner in both the petitions and of MR.A.THIRUVADI KUMAR, on behalf of the Respondent in both the petitions the court made the following order:-

On the side of the petitioner, it is stated that the petitioner was not able to deposit a sum of Rs.7,50,000/- as per the direction of this Court passed in Crl.M.P (MD) Nos.1989 and 1990 of 2018 dated 15.03.2018. It is stated that due to the closing of the financial year, the bank is not in a position to lend a loan to the petitioner in the third week of April 2018. It is further argued that if the Court imposed lesser amount, the petitioner can deposit the amount to prove his genuineness. The petitioner is ready to argue the matter once again and requested extension the time as imposed in the earlier order.



2. On the side of the respondent, it is stated that as per the earlier order, the petitioner has to deposit Rs.7,50,000/- on or before 27.03.2018. Though the petitioner failed to comply with the said order, this Court extended the interim order till 10.04.2018. Even today the petitioner is giving lame excuse and has not complied with the orders and he requested the petitions to be dismissed.

3. Though time has been extended by this Court, the petitioner has failed to comply with the order of this Court. Hence, the order of stay of execution of the sentence is vacated. The suspension of sentence order is dismissed and the exemption petition is also dismissed. The Registry is directed to send a copy of this order to the trial Court for further proceedings in accordance with law.

4. Post the Criminal Revision case for arguments on 26.04.2018.

sd/-
10/04/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE II ADDITIONAL DISTRICT JUDGE,
TUTICORIN.

2 THE JUDGE,
FAST TRACK COURT MAGISTRATE LEVEL, TUTICORIN.

+2. C.C. to M/S.A.THIRUVADI KUMAR Advocate SR.Nos.5802 & 5803

ORDER IN
CRL MP(MD) Nos.1989 & 1990 of 2018
IN CRL RC(MD) No.151 of 2018
Date :10/04/2018

MKV-CM-VR-VK/24.4.2018/2P-5C