



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 26.10.2018
CORAM
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P. (MD) No.17475 of 2018
and
CrI.M.P. (MD) No.7743 of 2018

Santhi

... Petitioner

Vs.

1.Selvakumar

2.The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

... Respondents

PRAYER:- Petition filed under Section 482 of Criminal Procedure Code seeking to set aside the impugned order made in Cr.M.P.No.1470 of 2018 dated 22.03.2018, on the file of the learned Judicial Magistrate, Valliyoor.

For Petitioner : Mr.S.R.Anbarasu
For Respondents : Mr.S.Palanivelayutham for R.1
Mr.R.Anandharaj,
Additional Public Prosecutor
for R.2

ORDER

This Criminal Original Petition has been filed seeking to set aside the order passed in Cr.M.P.No.1470 of 2018, dated 22.03.2018, by the learned Judicial Magistrate, Valliyoor, directing the Police to register a case under Section 191 IPC against the petitioner for non-compliance of the undertaking given before the Lok Adalat and the Court.

2. When the matter came up for hearing before this Court on 03.10.2018, this Court passed the following order:

"The petitioner was present before this Court. This Court examined the petitioner and the petitioner sought for time in order to comply with the award passed by the Lok Adalat. The total amount payable by the petitioner as per the award of the Lok Adalat is Rs.3,75,000/-. This award was passed on 12.11.2016, till date not a single pie has been paid by the petitioner. As a last chance, the petitioner is directed to bring an amount of Rs.2,00,000/- on 22.10.2018 and pay the same to the respondent. Insofar as the balance amount is concerned, this Court will consider and give sufficient time to make the payment. This Court wants to give this last opportunity only to see if the petitioner really



intends to comply with her undertaking given earlier before the Lok Adalat and also before the Court below at the time when the Non-Bailable Warrant was issued.

2. Post on 22.10.2018, immediately after admission."

3. Thereafter, this Court posted the case today. However, the petitioner has not paid the amount as directed by this Court. There is absolutely no bona fide on the part of the petitioner.

4. In view of the above, this Court does not find any merit in this criminal original petition and the same is accordingly, dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Judicial Magistrate,
Valliyoor.

2. The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.S.R.Anbarasu, Advocate, SR.No.92838

+1CC to Mr.S.Palanivelayutham, Advocate, SR.No.92702

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GK

ES/SKN/RSK/SAR 3/20.11.2018/2P/6C