

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 07.02.2019
CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
CRL.O.P.No.3302 of 2019

A.Muthuraman

... Petitioner/Accused

Vs

1. M.Amirtham

Represented by Power of Attorney Anand

2. The State represented by
The Public Prosecutor,
Coimbatore.

... Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to extend the time to comply with the order dated 2nd January 2019 passed by the Principal District and Sessions Judge, Coimbatore in Crl.M.P.No.3950/2018 in C.A.No.564/2018.

For Petitioner : Mr.C.Arun Kumar

For R2 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed seeking for extension of time to comply with the order dated 02.01.2019 passed by the learned Principal District and Sessions Judge, Coimbatore made in Crl.M.P.No.3950 of 2018 in C.A.No.564 of 2018.

2. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor and perused the materials available on record.

3. From the records, it is seen that the petitioner was convicted by the Trial Court for the offence under Section 138 of Negotiable Instruments Act and sentenced to undergo imprisonment for six months and to pay a compensation of Rs.29,81,250/- along with interest at 6% per annum. As against the said conviction and sentence, the petitioner filed an appeal in C.A.No.564 of 2018 on the file of the Principal District and Sessions Court, Coimbatore. The learned Principal District and Sessions Judge, Coimbatore has suspended the sentence in Crl.M.P.No.3950 of 2018 by an order dated 02.01.2019, on condition that the petitioner shall execute a bond for a sum of

Rs.10,000/- with two sureties for a like sum each to the satisfaction of the Judicial Magistrate, Fast Track Court, Magisterial Level-II, Coimbatore, within a period of two weeks from the date of the order. Due to Pongal holidays, the petitioner could not execute the bond before the jurisdictional Magistrate.

4. Considering the above fact and circumstances of this case, this Court is inclined to grant extension of time to the petitioner for a further period of two weeks from the date of receipt of copy of this order, to execute the bond to satisfy to the concerned jurisdictional Magistrate. On failure to comply with the condition passed by the Judicial Magistrate, Fast Track Court, Magisterial Level-II, Coimbatore within such time, this order shall stand automatically cancelled without any further reference to this Court. This Court deems it fit to direct the petitioner to pay a cost of Rs.5,000/- to the credit of the Chief Justice Relief Fund, within a period of one week from the date of receipt of a copy of this order.

5. Accordingly, this Criminal Original Petition is ordered.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

lpp/jas

To

- 1.The Principal District and Sessions Judge,
Coimbatore.
- 2.The Judicial Magistrate,
Fast Track Court, Magistrate Level-II,
Coimbatore.
- 3.The Sub Assistant Registrar,
Accounts Section, High Court,
Chennai-104.
- 4.The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.C.Arunkumar, Advocate, S.R.No.10639

CRL.O.P.No.3302 of 2019

PVS (CO)
rrs 08/02/2019