

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL MISCELLANEOUS PETITION NOS.6426 & 6428 OF 2019

IN CRL RC.172/2019

K.DEENADAYALAN

[PETITIONER / ACCUSED]

Vs

N.SELVAKUMAR

[RESPONDENT]

Petitions praying that in the circumstances stated therein the High Court will be pleased to

[i] modify the order passed in Crl.R.C.No.172 of 2019 dated 31.01.2019 in so far as depositing of 50% of the cheque amount to the credit of C.C.No.1885 of 2012 on the file of Metropolitan Magistrate, Fast Track Court-III, Saidapet, Chennai, within a period of Six weeks from the date of receipt of a copy of this order [IN CRL.MP.NO.6426 OF 2019]

[ii] extend the time for surrender passed in Crl.R.C.No.172 of 2019 dated 31.01.2019 in so far as depositing of 50% of the cheque amount to the credit of C.C.NO.1885 of 2012 on the file of Metropolitan Magistrate, Fast Track Court III, Saidapet, Chennai, within a period of Six weeks from the date of receipt of a copy of this order [IN CRL.MP.NO.6428 OF 2019]

Order : These petitions coming on for orders upon perusing the petition and upon hearing the arguments of M/S.C.V.KUMAR, Advocate for the petitioner, the court made the following order:-

Taking into consideration the facts and circumstances of the case, this Court is not inclined to modify the order dated 31.01.2019. This Court granted six weeks time for the petitioner to deposit 50% of the cheque amount. The six weeks time was over on 21.03.2019. However, the petitioner waited for nearly 1 ½ months to file these petitions seeking for modification and for extension of time to surrender. This Court is not happy with the conduct of the petitioner.

2. In order to afford a final opportunity, the petitioner is granted time till **30.05.2019** to deposit 50% of the cheque amount as directed by this Court by its order dated 31.01.2019. The time for surrender is also extended till **30.05.2019**. If the petitioner does not deposit the amount as directed by this Court, the interim order of suspension of sentence shall stand vacated automatically without reference to this Court. Thereafter, it is open to the Trial Court to issue Non-Bailable Warrant against the petitioner and secure him for the purpose of serving the sentence imposed by the Court below.

3. Accordingly, both the Criminal Miscellaneous petitions are disposed of.

-sd/-

08/05/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE,
FAST TRACK COURT-III, SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

+1C.C. to M/S.C.V.KUMAR Advocate on payment of necessary charges SR NO.9498

सत्यमेव जयते
Order

in

CRL MP.6426 & 6428 OF 2019

in

CRL RC.172/2019

Date :08/05/2019

From 7.2.2001 the Registry is issuing certified copies of the BAIL/Anti.BAIL Orders in this format

MK:13/05/2019