

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Fifth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.7968 of 2019

IN CRL RC.436/2019

P.GURU ARULSELVAN

[PETITIONER]

Vs

R.KARTHICK

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) To modify the conditions imposed upon him in Crl.M.P.No.6592/2019 in Crl.R.C.436/2019 order dated 09.05.2019 from depositing a sum of Rs.2,95,000/- to a sum of Rs.1,20,000/- against S.T.C.183/2017 on the file of the Judicial Magistrate, Fast Track Court, Magisterial Level, Ambattur, Chennai.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.V.G.ANBARASU, Advocate for the petitioner, the court made the following order:-

In Crl.MP.No.6592 of 2019 in Crl.RC.No.436 of 2019, this Court by order dated 09.05.2019, granted suspension of sentence and bail to the petitioner on several conditions, one of which, is that the petitioner should deposit a sum of Rs.2,95,000/-, being the 50% of the cheque amount, before the Trial Court within a period of four weeks from the date of receipt of a copy of that order. This modification petition has been filed by contending that the petitioner has no means to raise the said amount.

2. It is seen that the cheque amount in this case is Rs.5,90,000/-. It is also seen that the petitioner has been convicted and sentenced by the Trial Court and the Appellate Court, aggrieved by which, he has filed the present revision petition. The petitioner was granted exemption from surrendering and hence, he had not surrendered before the Trial Court.

3. In such view of the matter, the order passed by this Court on 09.05.2019, directing the petitioner to deposit the sum of Rs.2,95,000/- is reduced to Rs.2,50,000/-. Four weeks time is granted from the date of receipt of a copy of this order to deposit the sum of Rs.2,50,000/- before the Trial Court. On such deposit, the Trial Court is directed to redeposit the said amount in the Fixed Deposit in anyone of the Nationalized Bank, so that it accrues interest and the same can be disbursed either to the complainant or to the accused depending upon the outcome of the revision petition. If the petitioner/accused fails to deposit the said sum as stated above, the Trial Court shall take appropriate steps to secure the petitioner for undergoing the sentence imposed on him.

With the above modification, this petition is ordered.

-sd/-
25/06/2019

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 JUDICIAL MAGISTRATE,
FAST TRACK COURT, MAGISTERIAL LEVEL,
AMBATTUR, CHENNAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

C.C. to M/S.V.G.ANBARASU Advocate on payment of necessary charges

Order

in
CRL MP.7968/2019

in
CRL RC.436/2019

Date :25/06/2019

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