

Crl.MP.No.9252 of 2019
and
Crl.A.No.491 of 2011

P.VELMURUGAN.J.

This petition is filed under Section 482 Cr.P.C., seeking extension of time to deposit the fine amount imposed on the petitioners in Crl.A.No.491 of 2011 by an order dated 26.02.2019.

2 The learned counsel for the petitioner would submit that the judgment in Crl.A.No.491 of 2011 is made ready on 29.04.2019 and the petitioners have received the same on 30.04.2019 only and hence the petitioners are unable to deposit the fine amount before the stipulated period of time. The learned counsel further submitted that, the petitioners are all aged persons and they are belonging to the weaker sections of the society and hence, the petitioners may be granted further time to deposit the fine amount.

3 Heard the learned counsel for the petitioners and perused the materials available on record.

4 On a perusal of the judgment in Crl.A.No.491 of 2011, it is seen that the petitioners have been convicted before the learned Additional Sessions Judge, Fast Track Court, Ariyalur District, in

S.C.No.71 of 2008 for the offence under Section 324 IPC, and sentenced them to undergo 2 years Rigorous Imprisonment and to pay a fine of Rs.3,000/- in default to undergo 6 months Rigorous Imprisonment each. Against which, they have filed an appeal in CrI.A.No.491 of 2011 before this Court. The learned Judge has modified the sentence to the effect that the sentence of 2 years Rigorous Imprisonment and fine of Rs.3,000/- each is substituted with fine of Rs.15,000/- each. Each one of the appellants are to pay the difference of fine amount of Rs.12,000/- if not paid within a period of 30 days from the date of receipt of this order, the accused shall undergo 3 months Simple Imprisonment each for the default.

5 Now, the petitioner have come forward with this petition seeking further time to deposit the fine amount. Since the date of disposal of the appeal is 26.02.2019 and the petitioners have received the copy of the judgment on 30.04.2019. But, the petitioners have filed this petition only on 04.07.2019, hence, this Court is of the considered opinion that after a lapse of two months the petitioners have come forward with this petition seeking extension of time.

6 In such view of the matter, this Court is not inclined to grant further time. Hence, the Criminal Miscellaneous Petition stands

dismissed. The respondent police is directed to secure the custody of the accused persons and detain them in the Jurisdictional prison to undergo the remaining period of imprisonment, if any.

02.07.2019

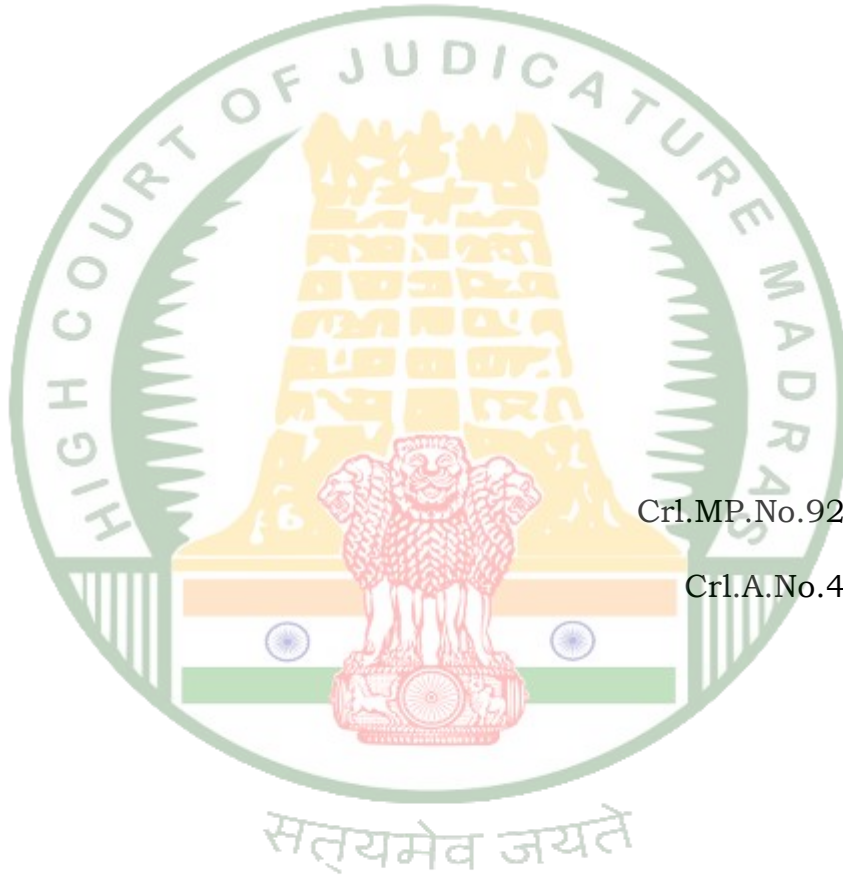
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