



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE. N.SESHASAYEE

CrI.O.P.[MD].No.4535 of 2019

and

CrI.M.P.[MD].No.2782 of 2019

K.B.Mariyammal,
Proprietrix,
M/s.MAA Power,
Having Office at,
No.C-12, First Floor,
Chokkanathar Street,
Thirunagar, 4th Stop,
Madurai - 625 006.

: Petitioner / Petitioner / Appellant

/Vs./

M.Servin,
S/o.Mariya Siluvai Antony,
Proprietor,
M/s.J.J.Excellent Exports,
Having Office at,
No.227, Therasapuram,
Tuticorin - 628 001.

: Respondent / Respondent / Complainant

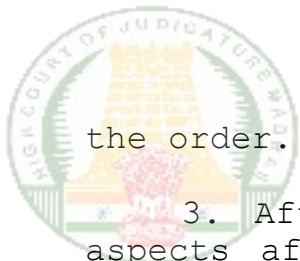
PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to set aside the condition of depositing a sum of Rs.3 Lakhs imposed by the learned Principal Sessions Judge, Thoothukudi in Cr.M.P.No.999 of 2019 in C.A.No.13 of 2019 dated 07.03.2019.

For Petitioner : Mr.A.K.Manickam

ORDER

This petition has been filed to set aside the condition of depositing a sum of Rs.3 Lakhs imposed by the learned Principal Sessions Judge, Thoothukudi in Cr.M.P.No.999 of 2019 in C.A.No.13 of 2019 dated 07.03.2019.

2. The learned counsel appearing for the petitioner submits that a condition imposed by the trial Court while suspending the sentence in Cr.M.P.No.999 of 2019 in C.A.No.13 of 2019 dated 07.03.2019 is onerous, that the petitioner is in financial crises, that she has got substantial case on merit, that she is also a woman in her old age with health issues and usually goes with women in that age group and hence, she is not in a position to comply with



the order.

3. After going through the papers and after considering all aspects affecting the case, this Court modifies the order of the learned Principal Sessions Judge, Thoothukudi, and directs the petitioner to deposit the sum of Rs.1,00,000/- [Rupees One Lakh only] before the Principal District Court, Thoothukudi, within a period of four weeks from the date of receipt of a copy of this order. As to the rest, the order of the learned Principal Sessions Judge, Thoothukudi, in Cr.M.P.No.999 of 2019 in C.A.No.13 of 2019 dated 07.03.2019 shall stand confirmed. Accordingly, this criminal original petition is partly allowed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

Sub Assistant Registrar (CS)

To

1.The Principal Sessions Judge, Thoothukudi.

2.The Judicial Magistrate,
Fast Track Court (Magisterial Level),
Thoothukudi (FAC)

+1cc to Mr.A.K.Manickam, Advocate, SR.No. 56701

Cr1.O.P. [MD].No.4535 of 2019
26.03.2019

SM

KK/SAR-/27.03.2019/2P-4C

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