



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2019

CORAM

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THE HONOURABLE MRS. **JUSTICE T.KRISHNAVALLI**

Crl.R.C(MD)No.536 of 2019
and
Crl.M.P(MD)No.6993 of 2019

Umarani ... Petitioner/Accused

Vs.

P.Ponnusamy ... Respondent/Complainant

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records of the learned Principal Sessions Judge, Theni in Crl.M.P.No.1028 of 2019 in C.A.No.20 of 2019, dated 21.03.2019 and modify the condition imposed in the impugned order.

For Petitioner : Mr.S.Deenadhayalan
For Respondent : Mr.T.Senthilkumar

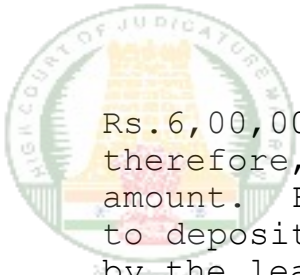
O R D E R

This Criminal Revision Case has been filed praying to call for the records of the learned Principal Sessions Judge, Theni in Crl.M.P.No.1028 of 2019 in C.A.No.20 of 2019, dated 21.03.2019 and modify the condition imposed in the impugned order.

2.The learned counsel appearing for the petitioner submitted that already the Appellate Court has passed an order by allowing the petition filed by the petitioner in Crl.M.P.No.1028 of 2019 in C.A.No.20 of 2019, dated 21.03.2019 and suspended the sentence till the disposal of the appeal, subject to the condition that the petitioner shall deposit 20% of the compensation before the Judicial Magistrate within 30 days from the date of this order. But the petitioner has not been complied with the conditional order. Hence, the learned Judicial Magistrate dismissed the petition. Challenging the said order, the petitioner is before this Court with this petition.

3.The Court heard the submissions made by the learned counsel appearing on either side and perused the materials available on record.

4.The learned counsel appearing for the petitioner would submit that in the order, dated 21.03.2019, passed by the learned Principal Sessions Judge, Theni, the 20% of cheque amount of



Rs.6,00,000/- has been inadvertently stated as Rs.4,20,000/- and therefore, the petitioner is not in a position to pay such a huge amount. Further, he would submit that now the petitioner is agreed to deposit 20% of the cheque amount i.e. Rs.1,20,000/-, as directed by the learned Principal Sessions Judge.

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6.In the light of the above submission, this Criminal Revision Case is allowed and the order of the learned Principal Sessions Judge, Theni in CrI.M.P.No.1028 of 2019 in C.A.No.20 of 2019, dated 21.03.2019 is modified to the effect that the petitioner is directed to deposit 20% of the cheque amount i.e. Rs.1,20,000/- (Rupees One lakh Twenty thousand only) before the concerned Judicial Magistrate within a period of two weeks from the date of receipt of a copy of this order. The other conditions imposed in the order, dated 21.03.2019 shall remain unaltered. The first appellate Court is directed to dispose of the case within a period of three months from the date of receipt of a copy. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Principal Sessions Judge, Theni.

2.The Judicial Magistrate (FTC),
Uthamapalayam, Theni.

3. The Chief Judicial Magistrate,
Theni.

+1CC TO MR.T.SENTHIL KUMAR, Advocate Sr. No.80020
+1CC TO MR.S.DEENADHAYALAN, Advocate Sr. No. 80156

CrI.R.C(MD)No.536 of 2019
and

CrI.M.P(MD)No.6993 of 2019
06.08.2019

NS (CO)

TR (27.08.2019) 2P 6C