

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5544 of 2020

C.Poongothai

... Petitioner/Petitioner

Vs.

1.Indhrani

2.State rep. by the
Public Prosecutor,
Coimbatore

... Respondents/Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to set aside the docket order dated 18.02.2020 made in Crl.MP.No.648 of 2020 on the file of the Principal District and Sessions Court, Coimbatore by allowing this criminal original petition.

For Petitioner : Mr.R.Prabakar

ORDER

This petition has been filed challenging the order passed in Crl.MP.No.648 of 2020 dated 18.02.2020 thereby dismissing the petition filed by the petitioner for extension of time to comply the condition imposed while suspending the sentence in Crl.MP.No.3980 of 2019 by order dated 18.11.2019.

2.The petitioner was convicted and sentenced for the offences punishable under Section 138 of NI Act on the complaint lodged by the first respondent. Aggrieved by the same, the petitioner preferred appeal in Crl.A.No.370 of 2019 on the file of the Principal District and Sessions Court, Coimbatore along with suspension of sentence petition. The first appellate court suspended the sentence on condition that the petitioner shall deposit a sum of Rs.90,000/- before the trial court on or before 14.02.2020. The petitioner did not comply the same and again filed extension of time petition in Crl.A.No.328 of 2020 and the same was also dismissed.

3.Now, the learned counsel for the petitioner submitted that the petitioner is ready and willing to deposit the said amount within a period of one week.

4. Considering the request of the learned counsel for the petitioner, this Court is inclined to allow this petition as such the order dated 18.02.2020 passed in CrI.MP.No.648 of 2020 on the file of the Principal District and Sessions Court, Coimbatore is set aside and the time to deposit Rs.90,000/- is extended till 16.03.2020, and if the petitioner fails to comply with the condition on or before 16.03.2020, the order passed by the first appellate court in CrI.MP.No.3980 of 2019 shall stand automatically cancelled.

5.Accordingly, this criminal original petition is allowed.

Sd/-

Assistant Registrar

// True Copy//

Sub Assistant Registrar

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To

1. The Principal District and Sessions Court, Coimbatore.
2. The Public Prosecutor, Coimbatore.

+1cc to R.Prabakar, Advocate, SR.No.21818.

CA(CO)

CSR: 12.03.2020

सत्यमेव जयते

CrI.O.P.No.5544 of 2020

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