

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Thirteenth day of October Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL MISCELLANEOUS PETITION No.5681 of 2020

IN CRL.A.NO.816 OF 2019

KANNAN

[APPELLANT / ACCUSED]

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
AWPS, AVINASHI,
TIRUPPUR DISTRICT.

[RESPONDENT / COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Extend the Time imposed by this Honorable Court in the order dated 20.03.2020 made in Crl.MP.No.17517 of 2019 in Crl.A.No.816 of 2019 by appreciating the above stated facts and circumstances.

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. DEEPANUDAY, Advocate for the petitioner and of THE PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

This Court by order dated 23.03.2020 in Crl.M.P.No.17517 of 2019 had passed the following order:-

"The petitioner / appellant is directed to deposit a sum of Rs.1,00,000/- before the trial Court. For considering the same, petition for Suspension of Sentence, call on 07.04.2020."

2. Learned counsel for the petitioner submits that due to COVID-19 pandemic situation, the petitioner was unable to receive order copy immediately and only on 03.08.2020, the copy of the order was received. Thereafter the petitioner approached the trial Court to deposit the said amount of Rs.1,00,000/-, but the trial Court directed the petitioner to get an extension of time. Hence, the petitioner is before this Court, seeking for extension of time.

3. It is seen from the order of this Court that no time limit was stipulated by which time the amount of Rs.1,00,000/- was to be paid. In view of the same, the trial Court not accepting the receipt of Rs.1,00,000/- is uncalled for. Any how the petitioner had made this application and submitted that the amount is ready for deposit, the same could not be made, since trial Court refused to receive the same for the aforesaid reasons.

4. In view of the same, the trial Court is directed to receive the sum of Rs.1,00,000/- to the credit of S.S.C.No.24 of 2019, without giving any reasons. On filing the proof of payment of Rs.1,00,000/-, the petition for suspension of sentence to be taken up for hearing.

-sd/-

13/10/2020

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 MAGALIR NEETHIMANDRAM
[FAST TRACK MAHILA COURT],
TIRUPPUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
AWPS, AVINASHI,
TIRUPPUR DISTRICT.

C.C. to M/S. DEEPANUDAY Advocate on payment of necessary charges

WEB COPY

Order

in

CRL MP.5681/2020

in

CRL.A.816/2019

Date :13/10/2020

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CS 14/10/2020