



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Tuesday, the Fourth day of February Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL MP(MD). No.803 of 2020
in
CRL RC(MD)NO.430 OF 2013

Murugan

... Petitioner/PETITIONER

Vs

1 The Sub-Inspector of Police
Watrap Police Station Srivilliputur Taluk
Virudhuangar District. (Crime No.204/2007)

... Respondent/Respondent

Prayer in CRL MP(MD). No.803 of 2020 :-

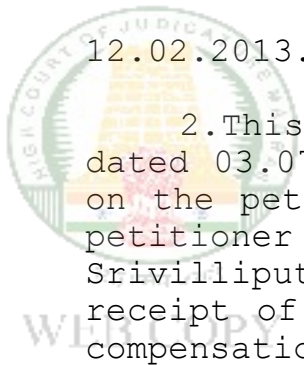
Criminal Miscellaneous Petition filed under section 482 of Cr.P.C praying to Extend the time for compliance condition order imposed in Crl.R.C.(MD). No.430/2013, dated 03.07.2019 by this Hon ble Court.

Prayer in Crl.R.C.(MD). No.430/2013:

Criminal Revision Petition filed under section 397 r/w 401 of Cr.P.C., praying to call for the records in C.A.No.171 of 2007 on the file of the Principal Sessions Court, Virudhunagar District at Srivilliputhur dated 12.02.2013 as modify the conviction and sentence in C.C.No.35/2007 on the file of the Judicial Magistrate No.1, Srivilliputhur, dated 16.07.2007, set aside the same.

ORDER:- This Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon perusing the earlier order of this Court and upon hearing the arguments of Thiru. S. Mayaperumal, Advocate for the Petitioner and of Thiru. K.Suyambulinga Bharathi, Government Advocate(Criminal Side), Government Advocate for the respondent, this Court made the following order:

The petitioner is accused in C.C.No.35 of 2007 on the file of the learned Judicial Magistrate No.I, Srivilliputhur, was convicted for offence under Section 354 of IPC and sentenced to undergo one year Rigorous Imprisonment along with fine of Rs.1,000/- by judgment dated 16.07.2006. Against which, he had preferred an appeal in C.A.No.171 of 2007 before the learned Principal Sessions Judge, Virudhunagar at Srivilliputhur and the same came to be dismissed and confirmed the judgment of the trial Court by judgment dated



12.02.2013. Against which, he has preferred this Criminal Revision.

2.This Court vide disposing the criminal revision by judgment dated 03.07.2019, modified and reduced the sentence of imprisonment on the petitioner to the period already undergone and directed the petitioner to appear before the learned Judicial Magistrate No.I, Srivilliputhur within a period of four weeks from the date of receipt of a copy of the order and to pay a sum of Rs.10,000/- as compensation and also to execute an affidavit expressing his sense of shame, remorse and regret. Thereafter, the learned Judicial Magistrate to disburse the compensation amount to the victim and also hand over the copy of the affidavit to the victim.

3. Now, the learned counsel for the petitioner submitted that he received the order copy on 01.09.2019. Since the petitioner, who is working as Cooli in Thirupur, he could not immediately contact him and communicate about the order. Thereafter, the petitioner contacted him and when he approached the learned Judicial Magistrate No.I, Srivilliputhur for depositing the amount of Rs.10,000/-, the learned Magistrate failed to accept the same on the ground that the period of four weeks time given by this Court had elapsed. Hence, he filed this present petition. He is ready with the amount of Rs.10,000/- and the affidavit.

4.In view of the above, this Court is inclined to extent the time for a period of 10 days from 05.02.2020. The petitioner is directed to pay the compensation and file an affidavit before the Judicial Magistrate No.I, Srivilliputhur in C.C.No. 35 of 2007.

5.Post the matter on 17.02.2020, for reporting compliance.

Sd/-

Assistant Registrar(AD-II)

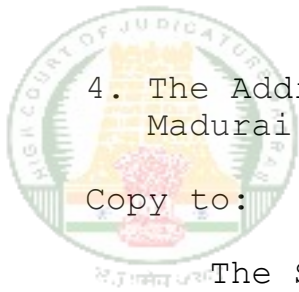
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/ /2020

Sub Assistant Registrar(CS)

TO

1. Principal Sessions Court Judge,
Virudhunagar District at Srivilliputhur,
2. The Judicial Magistrate No.1, Srivilliputhur,
3. The Sub-Inspector of Police
Watrap Police Station Srivilliputur Taluk
Virudhuangar District. (Crime No.204/2007)



4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

+1CC TO MR.S.MAYAPERUMAL, Advocate Sr. No.2223[I]

ORDER DATED : 04/02/2020

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ORDER
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CRL MP(MD) . No.803 of 2020
in
Crl.R.C. (MD) . No.430/2013

Giving direction and etc.
as stated within.

PM(CO)
TR(05.02.2020) 3P 7C