



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Criminal Jurisdiction

Wednesday, the Twenty Third day of September Two Thousand and Twenty
PRESENT

The Hon'ble Mr. Justice V. BHARATHIDASAN

CRL MP(MD) . No.3762 of 2020
in

CRL OP(MD) . NO.2668 OF 2015

J.Selvarani ... Petitioner/Petitioner/1st Accused

Vs

1 The Executive Officer
Arulmigu Koppudaiyamman Thirukoil
Karaikudi
Sivagangai District. ... Respondent/Respondent/Complainant

2. K.Chandrasekaran ... Respondent/Respondent/2nd Accused

Prayer in CRL MP(MD).NO.3762 OF 2020 :-

This Criminal Miscellaneous Petition filed Under Section 492 of Cr.P.C., to extend the time for payment of Rs.7,00,000/- to the 1st respondent herein as per the order passed in Crl.OP(MD). No.2668 of 2015 dt.28.2.2020 on the file of this Court .

Prayer in CRL OP(MD).NO.2668 OF 2015":-

This Criminal Original Petition filed Under Section 482 of Cr.P.C., to call for records in C.C.No.82 of 2013 pending on the file of the Judicial Magistrate Fast Track Court, Karaikudi, Sivagangai District and to quash the said proceedings as against the petitioner.

ORDER:- This Criminal Miscellaneous Petition coming upon for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.Kanagarajan, Advocate for the Petitioner and of Mr.V.R.Shanmuganathan Advocate For Respondent No.1, and this Court made the following order:

Earlier, this Court, by order dated 28.02.2020 in Crl.O.P. (MD)No.2668 of 2015, quashed the proceedings in C.C.No.82 of 2013 pending on the file of the learned Judicial Magistrate, Fast Track Court, Karaikudi, Sivagangai District, against the petitioner and the second respondent herein, subject to payment of Rs.7,00,000/- [Rupees Seven Lakhs only] to the first respondent Temple with the following installments:



Sl.No.	Cheque No.	Amount (Rs.)	Date
1.	000001	1,00,000/-	15.03.2020
2.	000002	1,00,000/-	16.04.2020
3.	000003	1,00,000/-	17.05.2020
4.	000004	1,00,000/-	18.06.2020
5.	000005	1,00,000/-	19.07.2020
6.	000006	1,00,000/-	20.08.2020
7.	000007	1,00,000/-	21.09.2020

2. Even though the petitioner has given post-dated cheques, she was not able to honour the cheques except one installment. In the above circumstances, the petitioner has come out with the present petition seeking extension of time.

3. The learned counsel appearing for the petitioner would submit that due to COVID-19 pandemic situation, the petitioner is not in a position to comply with the undertaking. Now, she is willing to pay a sum of Rs.3,00,000/- [Rupees Three Lakhs only] on or before 03.11.2020 and the balance amount in the month of December, 2020.

4. Heard the learned Standing Counsel appearing for the first respondent also.

5. Considering the facts and circumstances of the case and also considering the fact that due to COVID-19 pandemic situation, the petitioner is not in a position to pay the amount within the time stipulated as above, this Court is inclined to extend the time granted by this Court vide order dated 28.02.2020 in CrI.O.P.(MD) No.2668 of 2015. Accordingly, the petitioner is directed to pay a sum of Rs.3,00,000/- [Rupees Three Lakhs only] **in cash**, on or before 03.11.2020 and the balance amount of Rs.3,00,000/- [Rupees Three Lakhs only] **in cash**, on or before 11.12.2020. It is made clear that if the petitioner fails to pay the amount as aforesaid, the petition in CrI.O.P.(MD)No.2668 of 2015, will stand automatically dismissed without any further reference to this Court.

6. This Criminal Miscellaneous Petition is ordered accordingly.

Sd/-

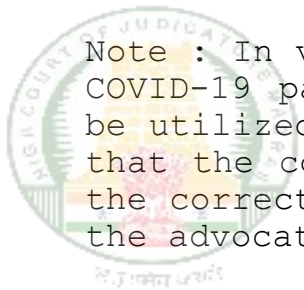
Assistant Registrar (CSII)

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Sub Assistant Registrar(CS)

SML



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

TO

1. The Judicial Magistrate
Fast Track Court,
Karaikudi,
Sivagangai District.
1. The Executive Officer
Arulmigu Koppudaiyamman Thirukoil
Karaikudi
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai

Copy to:

The Section Officer,
Criminal Section(Records)
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 23/09/2020

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ORDER

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CRL MP(MD) . No.3762 of 2020
in
CRL OP(MD) . NO.2668 OF 2015

Giving direction and etc.
as stated within.

KB(29.09.2020) 3P 5C