

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION No.1386 of 2020

ORDER:

This Criminal Petition under Section 482 of Cr.P.C., is filed by the petitioner/accused seeking to extend the time granted in Crl.M.P.No.242 of 2019 in Crl.A.No.875 of 2019 on the file of V Additional Metropolitan Sessions Judge, Ranga Reddy District at L.B.Nagar, dated 18.11.2019.

2. Heard learned counsel for the petitioner/accused and learned Additional Public Prosecutor for the 1st respondent-State.

3. The petitioner/accused was convicted for the offence under Section 138 of Negotiable Instruments Act, and sentenced to suffer simple imprisonment for six months and to pay cheque amount of Rs.15,00,000/- as fine, in default to suffer simple imprisonment for three months. During the course of appeal, the appellate Court, while suspending the sentence of imprisonment, directed the petitioner to deposit 20% of cheque amount awarded by the trial Court, within two months, and enlarged him on bail on condition of his executing a personal bond for a sum of Rs.5,000/- with one surety for the like sum to the satisfaction of the trial Court. However, the petitioner has not deposited the said amount within the stipulated time.

4. Having regard to the facts and circumstances and in view of the nature of offence committed by the petitioner/accused, the

appellate Court has rightly imposed the aforesaid nominal condition and there is no need to interfere with by this Court. However, the petitioner/accused is directed to deposit 20% of cheque amount as directed by the appellate Court positively by 11.03.2020 and no further extension of time will be granted to him. In the meantime, since the petitioner/accused was arrested in execution of non-bailable warrant, he shall be released on bail on the same terms and conditions as imposed by the appellate Court while suspending the sentence of imprisonment.

5. Subject to the above, the Criminal Petition is disposed of.

6. Miscellaneous petitions, if any pending in this criminal petition, shall stand closed.

26th February, 2020

Note:
Issue CC today
sj

G.SRI DEVI, J