

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2021

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.4975 of 2021

V.Floria Jenifer

.. Petitioner

Vs.

V.C.Ravichandran

.. Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records made in CMP No.1/2020 in C.A.No.19/2020 dated 10.02.2021, on the file of Principal Sessions Judge, Salem and set aside the same.

For Petitioner : Mr.R.Sankarasubbu

ORDER

This petition has been filed seeking for extension of time to deposit 20% of the compensation amount imposed as a condition by the Court below for granting suspension of sentence in favour of the petitioner.

2. The petitioner faced trial before the Judicial Magistrate No.VI, Salem for an offence under Section 138 of the Negotiable Instruments Act. The trial Court by judgment dated 08.01.2020 convicted the petitioner and sentenced him to undergo simple imprisonment for 3 months and fine of Rs.5,000/- in default 1 month simple imprisonment and further directed the petitioner to pay a sum of Rs.13,15,000/- as compensation.

3. Aggrieved by the said judgment, the petitioner filed an appeal before the Principal Sessions Judge, Salem. Along with the appeal, the petitioner also filed a petition for suspension of sentence. The appellate Court by an order dated 10.02.2020, suspended the sentence by imposing certain conditions. One of the condition imposed by the appellate Court was that the petitioner should deposit 20% of the compensation amount to the credit of C.C.No.100 of 2013, before the trial Court on or before 24.02.2020.

4.The learned counsel for the petitioner submitted that the petitioner was not able to arrange for making this deposit due to financial constraints and therefore, the present petition has been filed seeking for extension of time. The learned counsel further submitted that the petitioner will deposit this amount within a period of ten days from today.

5.Taking into consideration the facts and circumstances of the case, this Criminal Original Petition is disposed of with a direction to the petitioner to deposit 20% of the compensation amount ordered by the trial Court within a period of ten days from today. The other conditions imposed by the appellate Court shall stand as it is. It is made clear that if the petitioner fails to deposit the amount within the time stipulated by this Court, the suspension of sentence granted in favour of the petitioner shall stand cancelled automatically without any further reference to this Court.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP

To

1.Principal Sessions Judge, Salem.

+1 cc to M/s.R.Sankarasubbu, Advocate Sr.No.

LN (CO)
RMP (12/03/2021)

सत्यमेव जयते Cr1.O.P.No.4975 of 201

WEB COPY