



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.19337 of 2021

G.John

... Petitioner

Vs.

M.Revathi

... Respondent

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Judicial Magistrate, Fast Track Court, (Magisterial Level), Thoothukudi to issue non bailable warrant to the respondent/accused in the light of the notice issued to the respondent/accused on 18.02.2021 within a time frame as fixed by this Court.

For Petitioner : Mr.K.Vinayagan

O R D E R

Heard the learned counsel for the petitioner. Considering the nature of relief to be granted, issuance of notice to the respondent is dispensed with.

2.The petitioner was the complainant in C.C.No.544 of 2012 on the file of the Fast Track Court (Magisterial Level), Thoothukudi. The respondent herein was convicted. The same was also confirmed by this Court in Crl.R.C.(MD)No.430 of 2017 on 15.12.2020. However, modification was given in the matter of sentence. Paragarph No.12 of the order passed by this Court is as follows:-

"12. However, taking note of the fact that the petitioner is a woman and the other mitigating circumstances pleaded by the learned counsel for the revision petitioner, some modification in the matter of sentence is called for. The revision petitioner is given five months to deposit the cheque amount of Rs.5,53,000/- to the credit of C.C.No.544 of 2012 on the file of the Judicial Magistrate, Fast Track Court, Thoothukudi. On such deposit, the same can be withdrawn by the complainant without notice to the petitioner. If the petitioner deposits the said amount within the time stipulated above, the sentence imposed on the petitioner will not be enforced. If the petitioner fails to deposit the said amount, the petitioner will have to undergo six



months simple imprisonment."

3.The petitioner's counsel states that till date, the order passed by this Court has not been given effect to. Therefore, the learned trial Magistrate is directed to issue non bailable warrant against the respondent and enforce the order passed by this Court at the earliest.

4.This criminal original petition is allowed on these terms.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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.

To:

The Judicial Magistrate,
Fast Track Court (Magisterial Level),
Thoothukudi.

Cr1.O.P(MD)No.19337 of 2021
06.12.2021

SAR(CO)
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