

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION No.4687 OF 2021

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. to quash the order dated 31.03.2021 passed in CrI.M.P.No.130 of 2021 in CrI.Appeal No.73 of 2021 on the file of the learned VIII Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar.

Heard the learned counsel for the petitioner and the learned Public Prosecutor.

Perused the record.

The petitioner herein is an accused in C.C.No.425 of 2017. The offences alleged against the petitioner herein are under Section 138 read with Section 142 of the Negotiable Instruments Act. By judgment dated 03.03.2021, the petitioner herein was convicted by the Court below in C.C.No.425 of 2017. Feeling aggrieved by the said judgment, the petitioner herein has preferred an Appeal *vide* Criminal Appeal No.73 of 2021. Along with the said appeal, the petitioner has also filed an application *vide* CrI.M.P.No.130 of 2021 under Section 389(1) of Cr.P.C. seeking to suspend the judgment dated 03.03.2021 in C.C.No.425 of 2017. The Appellate Court *vide* order dated 31.03.2021 allowed the said application by suspending the operation of sentence passed by the trial Court in the said C.C. till the disposal of the Appeal on condition of the petitioner depositing 20% of the fine amount in the trial Court within two months from 03.03.2021 on the same terms and conditions as imposed by the trial Court while suspending the operation of sentence till the disposal of the appeal.

The petitioner herein has filed the present application challenging the order dated 31.03.2021 passed by the Appellate Court on the ground that he met with an accident and thereafter suffered

with Covid. In proof of the same, he has not filed any documents. According to this Court, the Appellate Court has rightly passed the order dated 31.03.2021 directing the petitioner herein to deposit 20% of the fine amount while suspending the operation of the sentence passed by the trial Court. Thus, the petitioner herein failed to make out any case to interfere with the order passed by the Appellate Court by invoking the powers of this Court under Section 482 Cr.P.C.

Thus, the Criminal Petition is liable to be dismissed and it is accordingly dismissed.

Pending Miscellaneous Petitions, if any, shall also stand dismissed in the light of this final order.

Date: 23.06.2021
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K.LAKSHMAN, J