

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.3092 of 2020

in

Crl.R.C.No.72 of 2020

Durgadevi .. Petitioner

Vs

Chandrasekaran .. Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 482 of the Code of Criminal Procedure to modify the condition to deposit a further sum of Rs.5,00,000/- (Rupees Five Lakhs only) within a period of four weeks thereafter, before the Trial court, imposed by this Court in Crl.M.P.No.391 of 2020 in Crl.R.C.No.72 of 2020 dated 13.01.2020.

For Petitioner : Mr.M.Govindaraju

ORDER

Today when the matter came up for hearing, the petitioner has filed an application to further modify the condition of deposition of Rs.5,00,000/- imposed by this Court.

2. Upon considering the overall facts and circumstances of this case, such a condition cannot be modified when the petitioner has not undertaken to pay the said sum and has got the relief of suspension of sentence. This Court, cannot review its own order and in the name of modification. This Court, cannot sit on appeal over the earlier order passed in the same matter. Therefore, the prayer to modify the order is rejected.

3. However, considering the facts and circumstances of this case, and the prayer made by learned counsel for the petitioner, time is extended for a period of six weeks from today (i.e) 30.06.2022. It is made clear that no further extension of time will be granted. If

the said sum is not deposited within such extended time, the suspension of sentence order granted by this Court shall stand vacated automatically and the respondent complainant will be entitled to approach the Trial court and the Trial court can issue / execute the warrant and commit the petitioner into prison to undergo sentence.

-sd/-
30/06/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE II ADDITIONAL DISTRICT JUDGE,
TINDIVANAM

2 THE JUDICIAL MAGISTRATE,
NO.I, TINDIVANAM

3 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

+1 C.C. to M/S.M.GOVINDARAJU Advocate on payment of necessary charges SR.NO.10494

Order
in
CRL MP.3092/2020
in
CRL RC.72/2020

Date :30/06/2022

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JPA 04/07/2022