



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice D.BHARATHA CHAKRAVARTHY

CRIMINAL MISCELLANEOUS PETITION No.4526 of 2022

IN CRL.R.C.NO.436 of 2022

1 M/S.KALASA ESTATE
A PARTNERSHIP FIRM,
REP BY ITS PARTNERS,
SO.S.SIVASUBRAMANIAM,

[PETITIONERS]

2 SO.SIVASUBRAMANIAM,
3 SO.S.SOCKALINGAM

Vs

1 THE BOMBAY BURMAH TRADING
CORPORATION LIMITED,
MUDIS VALPARAI,
REP BY ITS MANAGER (LEGAL AND HR),
MS.MENAKA CHINNATHAMBI

[RESPONDENTS]

2 STATE OF TAMIL NADU
REP BY PUBLIC PROSECUTOR,
COIMBATORE.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) To Suspend the Sentence passed by the Learned District Munsif Cum Judicial Magistrate, Valparai in STC.417/2015 dated 11.10.2019 as Confirmed by the Judgment of the V Additional District and Sessions Judge, Coimbatore in C.A.345/2019 dated 31.01.2022.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.R.GANESH, Advocate for the petitioner and of PUBLIC PROSECUTOR, on behalf of the Respondents the court made the following order:-



Learned counsel for the respondent / complainant is present. He seeks set of papers to get ready and argue the matter. Learned counsel for the petitioner is directed to serve the set of papers.

WEB COPY

2. In the meanwhile, the petitioner has not complied with the conditional order imposed on him to suspend the sentence.

3. Learned counsel for the petitioner submits that the petitioner is unable to comply with the conditions imposed, that is to deposit thirty percent of the cheque amount within the time granted by this Court and submitted that if four more weeks' time is granted, the petitioner would deposit the sum. She also submitted that she already has filed an extension of time application before the Registry however, the same is yet to be numbered.

4. Be that as it may, considering the nature of this case, this Court is inclined to extend the time for compliance of the conditions imposed by this Court by another four weeks. It is therefore ordered that the petitioner shall comply with the conditional order on or before 15.07.2022, failing which the order granting suspension of sentence shall stand automatically vacated.

5. Learned counsel for the respondent / complainant would be at liberty to approach the Trial Court and obtain a warrant and execute the warrant and commit the petitioner to prison to undergo sentence.

-sd/-
15/06/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, VALPARAI.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE DISTRICT [FOR INFORMATION]

3 THE V ADDITIONAL DISTRICT
AND SESSIONS JUDGE,
COIMBATORE.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE PUBLIC PROSECUTOR,
COIMBATORE.

C.C. to M/S.R.GANESH Advocate on payment of necessary charges

Order

in
CRL MP.4526/2022
in
CRL RC.436/2022

Date :15/06/2022

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

TA-23/06/2022