



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.9501 of 2022

Kalpana,
D/o.Balagurumoorhty

... Petitioner

Vs

Pasupathy,

S/o.Rajalingam

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, pleased to grant an extension of time for the petitioner to comply with the conditions imposed in the order passed by the Learned District and Sessions Judge, Dharmapuri dated 14.03.2022 made in Crl.M.P.No.470 of 2022 in Crl.A.No.9 of 2022.

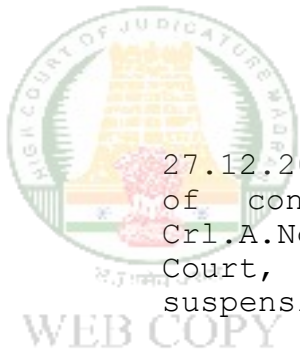
For Petitioner : Mr.M.R.Jothimanian

ORDER

This Criminal Original Petition has been filed, to grant an extension of time for the petitioner to comply with the conditions imposed in the order passed by the Learned District and Sessions Judge, Dharmapuri dated 14.03.2022 made in Crl.M.P.No.470 of 2022 in Crl.A.No.9 of 2022.

2. The learned counsel for the petitioner would submit that the petitioner was found guilty for the offences punishable under Sections 138 and 142 of the Negotiable Instruments Act, 1881 read with under Section 200 of Cr.P.C., on the file of the Judicial Magistrate Fast Track Court (ML), Dharmapuri in C.C.No.53 of 2019 on 27.12.2021.

3. The learned counsel for the petitioner would further submit that the petitioner was convicted to undergo simple imprisonment for five months and to pay a compensation of Rs.4,50,000/- (the cheque amount to the complainant) on



27.12.2021. He would further submit that against the Judgment of conviction of sentence, the petitioner had preferred Crl.A.No.9 of 2022 on the file of the District and Sessions Court, Dharmapuri and she has also filed application for suspension of sentence and bail in Crl.M.P.No.470 of 2022.

4. He would further submit that the learned Appellate Court was pleased to grant bail to the petitioner by an order dated 14.03.2022 on condition that the petitioner shall deposit a sum of Rs.90,000/- towards part of the compensation before the Trial Court on or before 28.03.2022.

5. The learned counsel for the petitioner would further submit that the petitioner is working as a teacher and since there was examination in the school, she was unable to surrender before the concerned Court and execute sureties and deposit the said amount. Thereby, she had filed an application seeking for extension of time before the Appellate Court, whereas, the Appellate Court by an order dated 30.03.2022 had returned the application stating that the order has not been complied within the specified time. Thereby, the present petition has been filed seeking for extension of time.

6. The learned counsel for the petitioner would further submit that the petitioner is now ready to deposit the said amount on any day within a period of two weeks from the date of receipt of a copy of this order.

7. Heard the learned counsel for the petitioner and perused the materials available on records.

8. The petitioner is convicted by the Trial Court for the offences punishable under Sections 138 and 142 of the Negotiable Instruments Act, 1881 read with under Section 200 of Cr.P.C., and she has been convicted and sentenced to undergo five months simple imprisonment and to pay a compensation of Rs.4,50,000/-. The Appellate Court while granting suspension of sentence has passed the conditional order to deposit a sum of Rs.90,000/- towards the part of the compensation on or before 28.03.2022. Now, it is submitted that due to her official commitments, she was unable to deposit the amount within the prescribed time and presently she is ready to comply with the order.



9. In view of the above, the time granted in Crl.M.P.No.470 of 2022 in Crl.A.No.9 of 2022 by directing the petitioner to deposit an amount of Rs.90,000/- on or before 28.03.2022 is extended by a further period of two weeks time from the date of receipt of a copy of this order.

10. This Criminal Original Petition stands disposed of with the above observations.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rgm/arb

To

1. The District and Sessions Judge,
The District and Sessions Court,
Dharmapuri.
2. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.M.R.Jothimanian, Advocate, S.R.No.30387

Crl.O.P.No.9501 of 2022

BR[co]
NSK/19/05/2022