



Crl.M.P.No.13438 of 2022 in Crl.R.C.No.614 of 2022

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D.BHARATHA CHAKRAVARTHY, J.

The total Cheque amount in this case is Rs.2 Lakhs.

2.According to the learned Counsel for the petitioner is that the petitioner has already deposited a sum of Rs.40,000/-. The conditional order is to deposit another sum of Rs.1,50,000/- inspite of the best efforts of the complainant, the complainant could not be mobilized the entire amount. Therefore, the learned Counsel prays for modification of the said conditional order, as the condition is now proving the onus of the petitioner since the petitioner is not in a position to comply with the conditional order.

3.The learned Counsel also further undertakes if the condition is modified and if further period of four weeks time is given, the petitioner will deposit the another sum of Rs.60,000/- without praying any further concession and the entire amount of Rs.1,00,000/- to be withdrawn by the complainant.



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4.It is seen that the service is complete, but, however, there is no appearance on behalf of the respondent/complainant.

5.In that view of the matter, this application is allowed on the following terms:-

(i) The earlier condition imposed by this Court on 19.05.2022 in Crl.R.C.No.614 of 2022 is modified and the petitioner is directed to deposit a sum of Rs.60,000/- instead of Rs.1,50,000/-. The said sum of Rs.60,000/- shall be deposited by the petitioner to the credit of STC.No.214 of 2016, on the file of the Judicial Magistrate Fast Track Court (Magisterial Level), Ambattur, Chennai, on or before 30.09.2022.

(ii) The petitioner has no objection for the respondent/complainant to withdraw the same amount of Rs.60,000/- as well as the sum of Rs.40,000/- which was already deposited by him, vide FOIL No.366719 to the above said STC.No.214 of 2016.

(iii) In view thereof, the said sum of Rs.40,000/- deposited by the petitioner as well as the above mentioned sum of Rs.60,000/- to be deposited by the petitioner/accused is permitted to be paid out to the



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respondent/complainant without filing any formal application, upon verification and identification on the complainant.

(iv) It is made clear that there shall be no further extension of time will be granted to the petitioner to deposit the above said sum of Rs.60,000/- and if the petitioner fails to deposit the said amount, within the time granted by this Court, then the order of suspension of sentence granted by this Court shall stand automatically vacated.

(v) Even if the petitioner fails to deposit the above mentioned sum of Rs.60,000/-, and since no objection submitted by the petitioner, the sum of Rs.40,000, already deposited shall be paid to the respondent/complainant without any formal application, and only upon verification and identity of the complainant.

29.08.2022

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