



Crl.M.P.No.12777 of 2022
in Crl.A.No.295 of 2021

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D.BHARATHA CHAKRAVARTHY, J.

This petition is filed for extension of time. While originally considering the appeal filed by the petitioners/accused in and by which the Judgment was passed without hearing the learned counsel for the accused, this Court passed the Judgment allowing the appeal with an opportunity for the petitioners/accused to once again argue the matter. While being so, a direction has been given to the trial Court to complete the exercise on or before 15.09.2022. The said time has not even expired and therefore, there is no question of extension of time.

2. Learned counsel for the petitioners submits that this Court had also observed in Clause (vi) of the Judgment that within such time as granted by this Court, the accused can also settle and compound the matter. However, without taking any steps to compound the issue, the trial Court is merely directing that the matter may be posted for arguments and is about to complete the matter on 24.08.2022 and hence this petition has been filed.



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3. As far as the compounding is concerned, it is for the petitioners/accused to file such an application under Section 5 of the TNPID Act, offering no objection for the properties to be sold or if they are ready to pay the entire money due or such amount as may be accepted by the depositors, the trial Court would have considered the same. But, the petitioners/accused have not chosen to file any such application till date.

4. In that view of the matter, the extention of time cannot be granted. Accordingly, this Criminal Miscellaneous Petition is dismissed. However, with a liberty to the petitioner to file such an application for compounding if they still choose to do so as per Clause (vi) of the said Judgment before the trial Court. If such an application is filed with concrete and plausible proposal with genuine intention of settlement, the same can be considered by the trial Court.

17.08.2022

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Note: Issue order copy on 22.08.2022.



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