



Crl.R.C.No.1235 of 2019

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and Crl.M.P.No.1128 of 2019

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G.K.ILANTHIRAIYAN, J.

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsel appearing for the petitioner submitted that though the petitioner had taken Demand Draft in favour of the complainant, the petitioner could not able to find the defacto complainant. Therefore, he could not able to comply with the direction issued by this Court on 08.11.2022 in the present case. Hence, he prayed for suitable directions.

3. Considering the submission made by the learned counsel appearing for the petitioner, the paragraph No.7 in the order dated 08.11.2022 in Crl.R.C.No.1235 of 2019 shall read as follows:-

“7. Considering the above submission, the judgment passed in C.A.No.101 of 2018 dated 23.10.2019 on the file of the III Additional Sessions Judge, Vellore, Thirupathur, thereby confirming the judgment passed in C.C.No.83 of 2013 dated 21.05.2018 on the file of the Additional District Munsif cum Judicial Magistrate, Ambur, Vellore District, are hereby set aside, on condition that the petitioner shall deposit the entire cheque amount to the credit of Trial Court on or before



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12.12.2022, failing which, the conviction imposed by the Courts below shall stand automatically restored. The Trial Court is directed to take appropriate steps to secure the petitioner to serve the remaining period of sentence. On such deposit, the respondent is permitted to withdraw the same by way of filing appropriate application. It is made clear that the Trial Court shall permit the respondent to withdraw the amount, without ordering notice to the petitioner.”

4. Registry is directed to correct the order dated 08.11.2022 in CrI.R.C.No.1235 of 2019, as above and issue order copy afresh.

01.12.2022

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Note :- Issue order copy today i.e., **01.12.2022**



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