



Crl.M.P.No.20037 of 2022

Crl.M.P.No.20037 of 2022
in Crl.A.No.594 of 2018

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G.K.ILANTHIRAIYAN, J.

This Court, by Judgment dated 17.11.2022 in Criminal Appeal No.594 of 2018, while confirming the conviction, reduced the sentence alone to the period which already undergone by the appellants on condition that they shall pay a sum of Rs.1,50,000/- each in favour of the office of P.W.1 by way of Demand Draft on or before 19.12.2022, failing which the sentence imposed by the Trial Court shall stand automatically restored.

2. However, the appellants could not comply with the condition on or before 19.12.2022 and filed a petition in Crl.MP.SR.No.62693 of 2022 before this Court for extension of time. Pending application for extension of time, the appellants complied with the condition imposed by this Court on 22.12.2022. However, on 19.12.2022, the Trial Court issued Non Bailable Warrant as against the appellants for non-compliance of the order passed by this Court to remand them to serve remaining sentence.



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3. The learned counsel for the appellants mentioned before this Court on 22.12.2022 that this Court directed the appellants to file a petition to re-call the Non-Bailable Warrant issued against them along with the payment receipt. Today, the learned counsel for the appellants mentioned that the Trial Court, without considering the payment of deposit amount, remanded them to serve the remaining period of sentence and dismissed the petition to re-call Non-Bailable Warrant.

4. It is seen that the appellants had deposited the amount as directed by this Court on 22.12.2022. The Non-Bailable Warrant issued as against the petitioner stands set aside and it is ordered that the period of sentence already undergone by the appellants, if any, shall be given set off, as required under Section 428 Cr.P.C.

23.12.2022

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Note: Issue order copy on 23.12.2022



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1. The Principal District Sessions Judge,
Tiruppur.
2. The Jail Superintendent,
Central Prison,
Coimbatore.



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