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Crl.R.C.No.1531 of 2018

G.K.ILANTHIRAIYAN, J.

Today, the matter is listed under the caption "for being mentioned" at the instance of the learned counsel for the respondent.

2. The learned counsel for the respondent submitted that even though this Court, directed the petitioner to deposit a sum of Rs.50,000/- at the time of suspending the sentence, the petitioner did not comply with the condition. Hence, the petitioner has to deposit a sum of Rs.2,50,000/- to the credit of Trial Court. Hence, he prays to clarify the above order and issue suitable direction.

3. Considering the above submission, the paragraph Nos.5 and 7 of the order dated 30.11.2022 passed in Crl.R.C.No.1531 of 2018, shall read as follows :-

“5. Pending revision, the parties have settled the issues amicably by way of depositing a sum of Rs.2,50,000/-. At the time of suspending the sentence, the petitioner had deposited a sum of Rs.50,000/- and the remaining amount of Rs.2,00,000/-



has to be deposited to the credit of the Trial Court. However, the learned counsel for the respondent submitted that though this Court directed the petitioner to deposit a sum of Rs.50,000/- at the time suspending the sentence, the petitioner did not comply the same. Hence the petitioner has to deposit a sum of Rs.2,50,000/- to the credit of Trial Court.

7. In view of the above, the judgment dated 10.12.2018 passed in C.A.No.2 of 2018 on the file of the Additional District and Sessions Judge, Ariyalur, and the order dated 18.01.2018 passed in S.T.C.No.1109 of 2015 on the file of the Judicial Magistrate, No.I, Jayakondam, are hereby set aside on condition that the petitioner shall deposit a sum of Rs.2,50,000/- to the credit of trial Court on or before 23.12.2022. It is made clear that if the petitioner fails to deposit the said amount, the conviction and sentence imposed by the Courts below shall stand automatically restored. On such deposit, the respondent is permitted to withdraw the said amount by filing an appropriate application before the Trial Court. It is made clear that the Trial Court shall permit the respondent to withdraw the said amount, without ordering notice to the petitioner.”



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4. Registry is directed to replace the above paragraphs in the order dated 30.11.2022 in CrI.R.C.No.1531 of 2018 and issue a fresh order copy.

14.12.2022

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Note : Issue order copy on 15.12.2022.



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