



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twenty Fifth day of March Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD) No.3947 of 2022
in
CRL RC(MD)No. 503 of 2021

K.KUTTIARAJA

... PETITIONER/RESPONDENT/RESPONDENT

Vs

P.MURUGESAN

... RESPONDENT/PETITIONER/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to.To permit the Petitioner to withdraw the sum of Rs.3 Lakhs deposited by the Revision petitioner to the credit of STC No.75/2016 on the file of the Honble Additional District Munsiff, Tenkasi as per the orders passed by this Honble Court in CRL MP(MD)No. 5394 of 2021 in CRL RC(MD)No. 503 of 2021 dated 18.08.2021 pending disposal of the above Criminal Revision Petition.

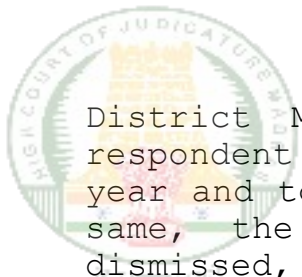
Prayer in CRL RC(MD) . 503/ 2021 :

To call for the records pertaining to the impugned judgment of conviction and sentenced passed by the IV Additional District Judge,Tirunelveli in Crl.A.No.13 of 2018 dated 01.07.2021 confirming the judgment of conviction and sentenced passed by the Learned District Munsif, Tenkasi in STC No. 75/2016 dated 04.01.2018 and set aside the same.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.N.SANKAR GANESH , Advocate for the petitioner, the court made the following order:-

This petition has been filed to withdraw the sum of Rs.3,00,000/- deposited by the revision petitioner to the credit of S.T.C No.75 of 2016, on the file of Additional District Munsif Court, Tenkasi.

2.The petitioner is the complainant and the respondent is the accused. The petitioner lodged a complaint for the offence under Section 138 of Negotiable Instruments Act and the same has been
<https://hcservices.recourts.gov.in/hcservices/> as S.T.C No.75 of 2016, on the file of Additional



District Munsif Court, Tenkasi. The trial Court convicted the respondent and sentenced him to undergo simple imprisonment for one year and to pay the cheque amount as compensation. Aggrieved by the same, the respondent preferred an appeal and the appeal was dismissed, by confirming the judgment of the trial Court.

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3. Challenging the same, the respondent filed revision before this Court. While suspending the sentence, this Court imposed condition that the respondent shall deposit 20% of the cheque amount, before the trial Court. Accordingly, the respondent deposited the 20% of the cheque amount, ie., Rs.3,00,000/- (Rupees Three Lakhs) before the trial Court. Now the petitioner seeks permission to withdraw the same.

4. Considering the above facts, the petitioner is permitted to withdraw the amount ie., Rs.3,00,000/- (Rupees Three Lakhs), which was deposited by the respondent, in the credit of S.T.C No.75 of 2016, on the file of Additional District Munsif Court, Tenkasi.

5. Accordingly, this petition is ordered.

sd/-

25/03/2022

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/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE IV ADDITIONAL DISTRICT JUDGE,
TIRUNELVELI.
- 2 THE ADDITIONAL DISTRICT MUNSIF,
TENKASI.

ORDER
IN
CRL MP(MD) No.3947 of 2022
in
CRL RC(MD) No. 503 of 2021
Date :25/03/2022

pnm

PKP/SVR/SAR-1/30.03.2022/2P/3C