



WEB COPY

CRL MP(MD)



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Thursday, the Twenty Third day of June Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD)No.4454 of 2022

in

CRL RC(MD)No.270 of 2017

A.Raja Mohammed

... Petitioner/Petitioner
Vs

Vishalakshi Achi

... Respondent/Respondent

Prayer in Crl.MP(MD)No.4454 of 2022 :- Criminal Miscellaneous Petition filed under Section 482 of Criminal Procedure Code, to extend the time limit as granted by this Hon'ble Court in Crl.RC(MD) No.270 of 2017 dated 08/12/2020.

Prayer in Crl.RC(MD)No.270 of 2017:- Petition filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records and set aside the order passed by the learned Sessions Judge, Sivagangai in C.A.No.31 of 2014, dated 09.01.2017 in C.C.No.162 of 2012 passed by the learned Judicial Magistrate (Fast Track Level), Karaikudi, dated 19.06.2014.

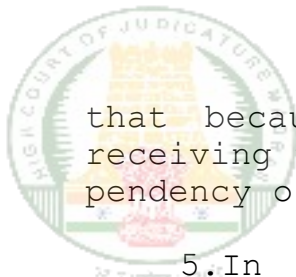
ORDER:- This Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.M.Solaisamy, Advocate for the Petitioner and of Mr.J.Sulthan Basha for M/s.Ajmal Associates for the Respondent, this Court made the following order:-

This petition has been filed seeking extension of time to comply with the order passed by this Court in Crl.R.C.(MD)No.270 of 2017, dated 08.12.2020.

2.By the aforesaid order and on the basis of the mediation report, the petitioner was directed to deposit the balance amount of Rs.5,10,000/- to the credit of C.C.No.162 of 2012 on the file of the learned Judicial Magistrate (Fast Track Level), Karaikudi, within a period of three months from the date of receipt of a copy of the order.

3.Now, the learned counsel for the petitioner would submit that the petitioner is ready with DD for the said amount.

4.But, as per the direction, the petitioner was directed to deposit the amount to the credit of C.C.No. C.C.No.162 of 2012 on the file of the learned Judicial Magistrate (Fast Track Level), Karaikudi. Now, the learned counsel for the petitioner would submit



that because of the issue of warrant, the Court below receiving the money. There is no such procedure that because of the pendency of the warrant, the order cannot be complied with.

5. In view of the above, this petition is allowed and the petitioner is directed to comply with the order of this Court, on or before 21.07.2022 without fail. The Trial Court is directed to receive the amount and comply the order. Further extension of time will not be entertained by this Court.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

TO

1. The Judicial Magistrate
(Fast Track Level),
Karaikudi.

2. The Sessions Judge,
Sivagangai.

+1. CC to M/S.M.Solaisamy, Advocate, SR.No.6083

ORDER DATED : 23/06/2022

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ORDER

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CRL MP(MD) No.4454 of 2022
in

CRL RC(MD) No.270 of 2017

Giving direction and etc.
as stated within.

RD(01.07.2022) 2P 4C