



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10683 of 2022

WEB COPY

C.Vijayalakshmi

... Petitioner

Vs

K.Thirumavalaavan

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Judicial Magistrate No.1, Sivakasi, to disburse the deposited amount of Rs.10 Lakhs on the file of S.T.C.No.2319 of 2015 and S.T.C.No. 2320 of 2015 along with the accrued interest as per the order in Crl.M.P.No. 1504/2022 on his file, within a stipulated time fixed by this Court.

For Petitioner : Mr. J.Jeyakumaran

For Respondent : No appearance

O R D E R

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate No.1, Sivakasi, to disburse the deposited amount of Rs.10 Lakhs on the file of S.T.C.Nos.2319 of 2015 and 2320 of 2015 along with the accrued interest as per the order in Crl.M.P.No. 1504/2022 on his file, within a stipulated time fixed by this Court.

2.On perusal of records, it is seen that this Court in Crl.O.P (MD)No.3342 & 3343 of 2016, dated 28.01.2022, ordered withdrawal of the deposited amount of Rs.10 Lakhs along with interest. Pursuant to the orders, the petitioner has filed a petition before the trial Court for withdrawing the said amount. As on date, the interest accrued is Rs.1,92,039/-. The trial Court also ordered for withdrawing the amount. Without claiming the interest amount, the petitioner has claimed only Rs.10 lakhs. Hence, the trial Court is unable to arrive at a decision and sent a representation to this Court in D.No.754 of 2022, dated 17.06.2022. As per the letter of the learned Judicial Magistrate, as on date the available interest is Rs.1,92,039/-.

3.Hence, the petitioner is hereby directed to file a fresh memo or petition before the learned Judicial Magistrate No.I, Sivakasi for withdrawing a sum of Rs.11,92,039/-. On filing such petition, the learned Magistrate is directed to comply with the earlier orders of this Court in Crl.O.P(MD)No.3342 & 3343 of 2016, dated 28.01.2022.



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4.This Criminal Original Petition is disposed of on these terms.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

PNM

To:

1. The Judicial Magistrate No.I, Sivakasi

+1 CC to M/s.J. JEYAKUMARAN, Advocate (SR-26797[F] dated 20/06/2022)

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_RD(28.06.2022) 2P 3C