



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Monday, the Nineteenth day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL MP(MD). No.15450 of 2022
in

CrI.RC.(MD)No.572 of 2013

V.Ramasubramanian

... Petitioner/Petitioner

Vs

R.Kathirvel

... Respondent/Respondent

Prayer in CRL MP(MD). No.15450 of 2022:- This Petition filed under Section 482 of Cr.P.C., to extend the time limit for the payment of the compensation amount in CrI.RC.(MD)No.572 of 2013 before this Hon'ble Court dated 17.06.2019 and thus render justice.

Prayer in CrI.RC.(MD)No.572 of 2013:- This Criminal Revision Petition is filed under Section 397 r/w 401 of Cr.P.C., to set aside the judgment passed in C.A.No.160 of 2008 on the file of the Additional Sessions Judge, Fast Track Court No. 1, Tirunelveli, dated 31/03/2021 in confirming the judgment in C.C.No.73 of 2005, on the file of the Judicial Magistrate No.IV, Tirunelveli, dated 06/11/2008.

ORDER:- This 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 M/s. J. Jeyakumaran, Advocate for the Petitioner and of Mr. T. Selvan, Advocate for the respondent, this Court made the following order:

"This Court while disposing CrI.RC(MD)No.572 of 2013, on 17.06.2019, directed the petitioner to deposit a sum of Rs.2 lakhs, to the credit of Crime No.73 of 2005, on the file of Judicial Magistrate No.IV, Tirunelveli, within a period of three months. Due to poor financial status of the petitioner, he was unable to deposit the amount, within the time frame and hence, filed a petition in CrI.MP(MD)No.11406 of 2022 before this Court and on 30.09.2022, the time was extended by this Court to comply the condition, within one week. Due to Covid-19 pandemic, the petitioner could not move appropriate petition before this Court.

2.The learned counsel for the petitioner further submitted that though technically extension cannot be granted, now the parties have entered into a settlement and the respondent also received the amount. Therefore, prays to extend the time limit.



3.The learned counsel for the respondent would submit he has no objection to extend the time frame, since he received the amount of Rs.2 lakhs, as per the compromise agreement and he has no intention to make any further claim as against the petitioner.

4.Heard both sides.

5.Though technically extension of time cannot be granted by this Court, considering the Covid-19 situation and the compromise arrived at between the parties and also the submission made by the respondent that he has no intention to make further claim as against the petitioner, this Court is inclined to grant further two months time to pay the compensation amount as imposed in Cr1.RC(MD)No.572 of 2013. The petitioner is directed to file appropriate memo before the concerned Court and the trial Judge shall record the same and pass appropriate orders.

6.Accordingly, this Criminal Miscellaneous Petition is ordered.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/12/2022

Sub Assistant Registrar(CS)

TO

1. The Additional Sessions Judge,
Fast Track Court No.I, Tirunelveli.

2. The Judicial Magistrate No.IV, Tirunelveli.

+1 CC to M/s.J.JEYAKUMARAM, Advocate (SR-62963[F] dated
19/12/2022)

ORDER DATED : 19/12/2022

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ORDER

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CRL MP(MD) . No.15450 of 2022
in
Cr1.RC.(MD)No.572 of 2013

ED(28.12.2022) 2P 4C

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