



Crl.O.P.No.5815 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.05.2023

CORAM

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Crl.O.P.No.5815 of 2023

1.M/s.Moses Transport,
Represented by its Proprietor,
No.73/41, Karukku Main Road,
Menampedu, Chennai - 53.

2.P.Jancy

... Petitioners

Vs.

Perumal

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., pleaded to extend the time to comply the condition of deposit of 20% of the compensation amount as condition imposed in Crl.M.P.No.2417 of 2022 in Crl.A.No.45 of 2022 on the file of the Principal District and Sessions Judge at Tiruvallur, Tiruvallur District vide order dated 27.06.2022.



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For Petitioners : Mr.M.Sathish Kumar
For Respondent : Mr.S.Vinoth Kumar
Government Advocate
(Criminal Side)

ORDER

This petition has been filed to extend the time for complying the condition imposed by the Principal District and Sessions Court, Tiruvallur in Crl.M.P.No.2417 of 2022 in Crl.A.No.45 of 2022 dated 27.06.2022.

2. The learned counsel appearing for the petitioners submitted that on 27.06.2022, the learned Principal District and Sessions Judge, Principal District and Sessions Court, Tiruvallur, had suspended the sentence of imprisonment imposed by the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Ambattur in S.T.C.No.61 of 2020 dated 22.03.2022 as against the petitioners till the disposal of Crl.A.No.45 of 2022, with the following condition:

"The petitioners/appellants are directed to deposit 20% of the compensation amount (double the cheque amount of Rs.10,00,000/-) before the trial Court to the credit of STC.61/2020 within the period sixty days. In default, of deposit of the compensation amount, the order



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passed will stand cancelled automatically. The petitioner/Appellant is directed to appear before the II Additional District and Sessions Judge, Poonamallee on 27.07.2022."

3. The learned counsel submitted that the petitioner would not be able to mobilize the conditional amount, due to the downfall in her business and medical emergency in her family and therefore, she could not comply with the condition, but, there are arguable points available in the Criminal Appeal and the petitioner has got a fair chance of succeeding in the Appeal. He further submitted that the petitioner is now ready to comply the condition for which, she seeks extension of time.

4. Heard both sides.

5. Considering the facts and circumstances of the case and also considering the submissions of the learned counsel for the petitioner, this Criminal Original Petition is ordered and four weeks time is granted to the petitioner to comply the condition i.e., to deposit 20% of compensation amount before the trial Court made in Crl.M.P.No.2417 of 2022 in



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Crl.A.No.45 of 2022 dated 27.06.2022, from the date on which, the order
copy made ready.

18.05.2023

Index : Yes/No
Speaking Order / Non-Speaking Order
Neutral Citation : Yes / No

arb/Jeni

To

- 1.The Principal District and Sessions Judge at Tiruvallur,
Tiruvallur District.
- 2.The Judicial Magistrate,
Fast Track Court (Magisterial Level), Ambattur.
3. The Public Prosecutor,
High Court of Madras.

A.A.NAKKIRAN, J.



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