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Crl.M.P.No.6736 of 2023
in Crl.A.No.833 of 2016

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in

Crl.A.No.833 of 2016

G.K.ILANTHIRAIYAN, J.

This Criminal Miscellaneous Petition has been filed to extend the time granted to the petitioner on 03.04.2023 in Crl.A.No.833 of 2016 to pay the fine amount of Rs.25,000/- before the trial court to the credit of S.C.No.42 of 2015 on or before 24.04.2023.

2. Heard both sides.

3. Considering the facts and circumstances of the case, this petition is ordered and time is extended to the petitioner till 22.05.2023 to pay the fine amount of Rs.25,000/- before the trial court to the credit of S.C.No.42 of 2015 as ordered by this Court, from the date on which, the order copy made ready.

05.05.2023

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SATHI KUMAR SUKUMARA KURUP, J.,

Today, the above Criminal Miscellaneous Petition is posted under the caption "For Being Mentioned" at the instance of the learned Counsel for the Petitioner.

2.Learned Counsel for the Petitioner submits that Crl.M.P.No.6736 of 2023 in Crl.A.No.833 of 2016 dated 05.05.2023 was filed seeking extension of time. This Court passed order in Crl.M.P.No.6736 of 2023 in Crl.A.No.833 of 2016 dated 05.05.2023, wherein in the introduction paragraph it was typed as “*fine amount*” instead of “*compensation*”. Therefore, the Trial Court is not accepting the order passed in Crl.M.P.No.6736 of 2023 in Crl.A.No.833 of 2016 dated 05.05.2023. The learned Counsel for the Petitioner drew the attention of this Court to paragraph No.21 of the judgment made in Crl.A.No.833 of 2016 dated 03.04.2023.



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3. On perusal of the judgment in Crl.A.No.833 of 2016 dated 03.04.2023, it was stated in paragraph No.21 as follows:-

“21. The deposit of the compensation amount by A1, A2 and A4 and the fine amount by A3, each a sum of Rs.25,000/-, shall be made before the Trial Court on or before 24.04.2023. On such deposit, the fine amount deposited by A3, shall be paid as compensation to PW1 victim. The victim PW1 will also be entitled to withdraw the entire compensation of Rs.1,00,000/- from the Trial Court.”

4. Considering the submission of the learned Counsel for the Petitioner, the introduction paragraph of the order dated 05.05.2023 passed in Crl.M.P.No.6736 of 2023 in Crl.A.No.833 of 2016 shall be read as follows:

“This Criminal Miscellaneous Petition has been filed to extend the time granted to the Petitioner on 03.04.2023 in Crl.A.No.833 of 2016 to pay the compensation amount of Rs.25,000/- (Rupees Twenty Five Thousand only) before the trial Court to the Credit of Spl.S.C.No.42 of 2015 on or before 24.04.2023.”



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5.This Court is inclined to grant **two weeks time to the Petitioner for depositing the amount before the Trial Court and directs the learned Trial Judge to accept the compensation amount as per judgment in Crl.A.No.833 of 2016 dated 03.04.2023.**

The Registry is directed to carry out the necessary corrections and issue a fresh order copy.

28.06.2023

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SATHI KUMAR SUKUMARA KURUP, J.,

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28.06.2023