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Crl.O.P.No.10812 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.05.2023

CORAM

THE HONOURABLE Mr. JUSTICE **SUNDER MOHAN**

Crl.O.P.No.10812 of 2023

K.Selvaraj

... Petitioner

Vs.

Subramaniyam

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., praying to set aside the order in Crl.MP.No.1029/2023 in CA.No.61/2022 on the file of Principal District Judge, Cuddalore. May extend of the time to deposit the amount 20% of compensation amount Rs.17,50,000 pending disposal above said CA.No.61/2022 on the file of Principal District Judge, Cuddalore.

For Petitioner : Mr.R.Sankarasubbu

For Respondent : Mr.S.Balaji
Government Advocate (Crl. Side)



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ORDER

This petition has been filed seeking to extend the time to deposit 20% of the compensation amount vide order dated 13.12.2022 made in Crl.MP.No.7928 of 2022.

2. The learned counsel of the petitioner would submit that the petitioner was convicted and sentenced to undergo six months Simple Imprisonment vide Judgment dated 08.11.2022 made in STC.No.346 of 2017. Further, the said condition was modified by the Trial Court vide order dated 13.12.2022 made in Crl.MP.No.7928 of 2022 to the effect that the petitioner shall deposit 20% of the Cheque amount before the Lower Court within 15 days and the same has to be kept in Crl.CD account in the said case number failing which the petition shall stand dismissed automatically. The time to deposit the said amount was extended from time to time.

3. The learned counsel for the petitioner would further submit that the petitioner is suffering economically and he could not mobilize funds and hence, he was unable to comply with the order within the stipulated time.



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Thereafter, he filed a petition for extension of time before the learned Principal District and Sessions Judge, Cuddalore, but the learned Judge has refused to entertain the petition on the ground that sufficient time was already granted and thereby, the present petition seeking for extension of time has been filed.

4. In view of the above submission made by the learned counsel for the petitioner, this petition is ordered and time is extended for **a further period of three weeks to** deposit 20% of the Cheque amount before the Lower Court as ordered in Crl.M.P.No.7928 of 2022 on 13.12.2022.

10.05.2023

Index : Yes/No

Speaking Order: Yes/No.
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To

1. The Principal District and Sessions Court,
Cuddalore.
2. The Public Prosecutor,
Madras High Court,
Madras.



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SUNDER MOHAN, J.

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