



Crl.M.P.No.9822 of 2023

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Crl.A.No.310 of 2023

V. SIVAGNANAM, J.

This petition is filed by the petitioner to modify the condition order dated 28.03.2023 by modifying the condition to settle the dues to the depositors within a period of one month from the date of release.

2. Heard the learned counsel for the petitioner and learned Govt. Advocate (crl.side) and perused the materials available on record.

3. Admittedly, the petitioner/A5 was found guilty by the trial court under section 120B r/w.420 IPC (45 counts) and u/s. 420 IPC (45 counts), u/s.406 IPC (45 counts) and u/s.5 of TNPID Act, 1997 (45 counts) and he was sentenced accordingly. Thereafter, based on the submission of the learned counsel for the petitioner that he will settle the dues to the depositors within three months, interim suspension of sentence was granted in Crl.M.P.No.4234 of 2023 in Crl.A.No.310 of 2023 for a period of three months on certain conditions. Thereafter, the said order was brought under the caption 'for being mentioned' on 05.04.2023, wherein, based on the submission of learned counsel for petitioner, paragraph 6 of the said order was corrected to the effect that the petitioner is directed to settle the dues to the depositors within a period of one month and accordingly, interim suspension of sentence was granted for a period of three months.



V.SIVAGNANAM, J.

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4. The petitioner has come forward with the present petition seeking modification of the condition imposed in paragraph 6 of order dated 28.03.2023. Admittedly, based on the submission of the learned counsel for petitioner, interim suspension of sentence was granted for three months. Further, based on the submission of learned counsel for petitioner, paragraph 6 was incorporated and accordingly fresh order copy was issued by order dated 5.4.2023. Now the petitioner is seeking to modify the condition that *the petitioner shall settle the dues to its depositors within one month from the date of release.*

5. It is to be noted that this court granted interim suspension of sentence only based on the undertaking given by the petitioner that he would settle the dues to the depositors. But without doing so, the petitioner, further seeks modification of the condition imposed by this court while suspending his sentence. In view of the above, I find no ground to modify the condition imposed by this court. I find no merits in this petition. Hence this criminal miscellaneous petition is dismissed.

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13.07.2023

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