



Crl.M.P.No.13573 of 2023 in
Crl.A.No.607 of 2023

Crl.M.P.No.13573 of 2023
in
Crl.A.No.607 of 2023

M.NIRMAL KUMAR, J.

The petitioners, who are A1 to A3 in C.C.No.37 of 2013, were convicted by the Trial Court by judgment dated 16.11.2022. Aggrieved against the same, they have preferred an appeal in Crl.A.No.607 of 2023 and a petition to suspend the sentence in Crl.M.P.No.7532 of 2023. This Court, by order dated 15.06.2023, suspended the sentence for a period of three months from the date of their release subject to the condition that 20% of the fine amount imposed against them is to be paid within a period of two months. Fine amount imposed to each of the petitioners is Rs.88,11,000/-, out of which 20% works out to Rs.17,62,200/-, which is to be paid by each of the petitioners.

2.The learned counsel for the petitioners submitted that the petitioners were released on 29.06.2023 and filed a petition seeking extension of time on 16.09.2023 for some reason which has not been listed. He submitted that



Crl.M.P.No.13573 of 2023 in
Crl.A.No.607 of 2023

P.W.29 in C.C.No.37 of 2013 is running the business of A1 Company. The petitioners are the employees and their names were projected as partners. In fact, it was P.W.29 who was promoting and running the business. The petitioners to prove the same, marked Exs.D1 and D2 in C.C.No.37 of 2013. A petition was filed under Section 178(3) Cr.P.C. to include three persons including P.W.29. Though two persons were added as A4 and A5, who were only the employees, P.W.29 was left out. He further submitted that the petitioners are making sincere and serious efforts to mobilize funds to show their bonafide. Hence, he sought for extension of time for four weeks.

3.The learned Additional Public Prosecutor submits that in this case the petitioners were released on conditional bail on 24.06.2023 and thereafter, two months have lapsed but they have not paid the amount as ordered by this Court and hence, he strongly opposed this petition.

4.Considering the submissions made and the reasons given, this petition is ordered and the petitioners are directed to pay 20% of the fine amount as ordered by this Court in Crl.M.P.No.7532 of 2023 in



Crl.M.P.No.13573 of 2023 in
Crl.A.No.607 of 2023

Crl.A.No.607 of 2023 dated 15.06.2023 on or before 14.11.2023. In the event of non-fulfillment of the undertaking given by the petitioners, they shall surrender before the Trial Court without giving any further reasons.

5.With the above direction, this criminal miscellaneous petition is disposed of.

hvk

11.10.2023



WEB COPY



Crl.M.P.No.13573 of 2023 in
Crl.A.No.607 of 2023

M.NIRMAL KUMAR, J.

hvk

Crl.M.P.No.13573 of 2023
in
Crl.A.No.607 of 2023

11.10.2023