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Crl.M.P.No.14386 of 2023

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in

Crl.A.No.472 of 2023

M.NIRMAL KUMAR, J.

This petition has been filed seeking to extend the time of one month granted by this Court by order dated 23.06.2023 in Crl.M.P.No.8681 of 2023 in Crl.A.No.472 of 2023 to pay the 20% fine amount by A4.

2. The petitioners along with four others were convicted by the trial Court in C.C.No.6 of 2022 by judgment dated 24.03.2023. Aggrieved over the judgment of conviction and sentence, A2 filed an appeal in Crl.A.No.552 of 2023, A5 filed an appeal in Crl.A.No.482 of 2023, A3 and A7 filed an appeal in Crl.A.No.387 of 2023 and the petitioners/A4 & A6 filed the present criminal appeal in Crl.A.No.472 of 2023 along with Crl.M.P.No.5867 of 2023 seeking suspension of sentence. In this case, the total fine amount imposed to all the accused is Rs.72,00,000/- and proportionately, each accused has to pay a fine of Rs.12,00,000/-

3. This Court, by an order dated 26.04.2023 in Crl.M.P.No.5867 of 2023 granted interim suspension of sentence to the petitioners/A4 and A6,



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who are mother-in-law and wife of A2, with the condition that petitioners have to pay 20% of the fine amount, i.e., Rs.2,40,000/- within a period of one month from the date of their release. Thereafter, the petitioners filed Crl.M.P.No.8681 of 2023 seeking extension of one month time and this Court by order dated 23.06.2023 granted further period of one month to deposit 20% of the fine amount. Thereafter too, the petitioners were unable to pay the fine amount. Hence, the present Crl.M.P.No.14386 of 2023 has been filed.

4. Today, learned counsel for the petitioners produced the receipt showing deposit of fine amount of Rs.2,40,000/- dated 16.10.2023 by A4. As regards A6, the fine amount paid on 21.07.2023. Learned counsel, on instructions, submitted that in this case A2 is making arrangement to pay the balance fine amount. He further submitted that A2 examined himself as defence witness and in his evidence, he clearly deposed about settling the depositors to the tune of approximately Rs.41,00,000/-, which account has to be reconciled and balance amount to be paid by A2.



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5. Learned Additional Public Prosecutor stoutly denied the payment to the victims as claimed by the petitioners.

6. Be that as it may, now petitioners have complied with the orders of this Court to deposit 20% of the fine amount while granting interim bail to the petitioners. The compliance is recorded.

7. In view of the above, this Miscellaneous petition is closed and the interim bail granted to the petitioners by order dated 26.04.2023 in Crl.M.P.No.5867 of 2023 shall continue till the disposal of the appeal.

17.10.2023

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