



Crl.O.P.Nos.26755, 26757, 26759, 26761 and 26762 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P Nos.26755, 26757, 26759, 26761 and 26762 of 2022

GNT Engineering Works,
Rep.by its Proprietor, Mr.G.N.Thangadurai,
No.18, Bharathiyar Street,
Srinivasa Nagar, Padi,
Chennai 600 050.

...Petitioner in all OPs

vs.

Unitech Bright Steel Industries,
The Company is incorporated under the
Registered of Firm in (Reg.No.290/2006)
Before the Government of Tamilnadu,
Registered Office at No.113, Vanagaram Road,
Ayanampakam, Chennai 600 095.
Represented by its Power of Attorney,
Mr.Sanjay Modi.

...Respondent in all OPs

COMMON PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order of interim compensation in Crl.M.P.Nos.2987, 2750, 2749, 2747 and 2748 of 2022 in Crl.A.Nos.71, 64, 63, 61 and 62 of 2022 respectively awarded by the learned Principal District and Sessions Judge, Tiruvallur.



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For Petitioner in all OPs : Mr.R.Thanigaiarasu

For Respondent in all OPs : Mr.R.Muthukumar

COMMON ORDER

These criminal original petitions have been filed against the conditions imposed by the Court below in Crl.M.P.No.2987 of 2022 dated 02.08.2023 and Crl.M.P.Nos.2750, 2749, 2747 and 2748 of 2022 all dated 18.07.2022 directing the petitioner to deposit 20% of the compensation amount in each case before the trial Court within a period of 60 days while suspending the sentence imposed by the trial Court.

2. The petitioner was convicted for the offences under Section 138 of the Negotiable Instruments Act and was sentenced to undergo 11 months of simple imprisonment in each complaint and was further directed to pay compensation, which was twice the cheque amount, within a period of 2 months and in default to undergo 3 months of simple imprisonment in each complaint. The petitioner has filed appeals in Criminal Appeal Nos.61, 62, 63, 64 and 71 of 2022 against the judgment passed by the trial Court. The petitioner has also filed applications seeking for suspension of sentence in all these appeals. The Court below has suspended sentence by imposing conditions. The petitioner is aggrieved by the condition imposed by the Court below directing the petitioner to deposit 20% of



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the compensation amount before the trial Court. It is brought to the notice of this

Court that totally there are 21 complaints and out of the same, the petitioner and the other companies were acquitted in 16 cases. Hence, only in five complaints, they ended in conviction and sentence.

3. Heard the learned counsel for the petitioner and the respondent and also perused the materials available on record.

4. Taking into consideration the facts and circumstances of the case, there shall be a direction to the petitioner to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) in each case before the trial Court to the credit of C.C.Nos.32, 33, 35, 36 and 37 of 2019 within a period of one week from today (01.08.2023) and accordingly, the condition imposed by the Court below is modified to that extent. It is made clear that if the petitioner does not deposit the amount within the time stipulated by this Court, the Court below shall immediately take steps to secure the petitioner and to make him undergo the sentence imposed by the trial Court. If the petitioner deposits the amount within the time stipulated by this Court, the Court below shall take steps to hear the criminal appeals, since it is brought to the notice of this Court that the trial Court records have already reached the Court below.



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N. ANAND VENKATESH, J.

nsa

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5. All these criminal original petitions are disposed of in the above terms.

01.08.2023

***Note:** Issue order copy on 03.08.2023*

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

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To

The Principal District and Sessions Judge,
Tiruvallur.

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