



CRL MP(MD) No.10371 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Eighteenth day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.K.RAMAKRISHNAN

CRL MP(MD) No.10371 of 2023

IN

CRL RC(MD) No.525 of 2023

1 DANIEL AND SAMUEL LOGISTICS PVT.LTD,
THROUGH ITS DIRECTOR T.SELVAKUMAR,

2 T.SELVAKUMAR

3 SWEETLIN ... PETITIONERS/PETITIONERS/ ACCUSED

Vs

BALA ENTERPRISES THROUGH ITS PROPRIETOR,
P.NAINAR,

THROUGH HIS POWER AGENT
N.SANKAR GANESH ... RESPONDENT/RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to grant extension of time for a period of eight weeks to comply the order in Crl.M.P.(MD).No.7478 of 2023 on Crl.R.C.(MD). No.525 of 2023 dated 18.05.2023 and to deposit the amount a sum of 20 percentage of the Cheque amount i.e., Rs.4,00,000/- (Rupees Four lakhs only) before the Principal District and Sessions Court, Thoothukudi.



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PRAYER IN CRL.RC(MD).525/2023:

Pleaded to call for the records pertaining to the impugned order in CrI.M.P.No.1664 of 2023 in C.A.No.48 of 2023 dated 15.03.2023 passed by the Principal District and Sessions Court, Thoothukudi District in so far as the condition that the petitioners shall deposit the 20% of compensation amount within one month from the date of the order and set aside the same as illegal.

Prayer in CRL MP(MD). 7478/ 2023 :

To grant an order of interim stay of the operation of the impugned order in CrI.M.P.No.1664 of 2023 in C.A.No.48 of 2023 dated 15.03.2023 on the file of the Principal District and Sessions Court, Thoothukudi District in so far as the condition that the petitioners shall deposit the 20% of compensation amount within one month from the date of the order and till the disposal of the instant criminal Revision Petition.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S. PINAYGASH.I, Advocate for the petitioner and of Mr.D.SHANMUGAVEL, Advocate on behalf of the Respondent, the court made the following order:-

By the order dated 18.05.2023, this Court has passed an order of interim stay on condition which reads as follows:-.

“The above Criminal Revision is directed against the order passed in Cr.M.P.No.1664 of 2023 in C.A.No.48 of 2023, dated 15.03.2023, on the file of the Principal Sessions Judge, Thoothukudi.

2. When the matter is taken up for hearing today, the learned counsel appearing for the petitioners would submit that the petitioners are ready and willing to pay 20% of the cheque amount and prayed to grant interim stay of the proceedings.



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3. Considering the facts and circumstances, there shall be an order of interim stay on condition that the petitioners shall deposit 20% of the cheque amount i.e. Rs.4,00,000/- (Rupees Four Lakhs only) before the trial Court within a period of four weeks from the date of receipt of a copy of this order, failing which, the interim order granted shall stand vacated automatically without any further reference to this Court.

4. Issue notice to the respondent returnable by six weeks.

Private notice is also permitted. 5. Post the matter after six weeks.”

2. Thereafter, the petitioner filed this petition seeking extension of time to comply with the said conditional order. It is seen that when the matter was taken up for hearing on earlier two occasions, the learned counsel for the petitioner sought for short accommodation to comply with the order and this Court has also granted the same. Even though, the petitioner has not been complied with the condition.

3. In the said circumstances, this Court finds no prima facie ground to grant extension of time for a period of eight weeks to comply with the said conditional order dated 18.05.2023, passed by this Court. Hence, this Criminal Miscellaneous Petition is dismissed.

4. Mr. P. Shanmugavel, learned counsel undertakes to file vakalat for the



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respondent. The Registry is directed to print the name of Mr.P.Shanmugavel, learned

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counsel for the respondent in the cause list.

sd/-
18/08/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO
THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, THOOTHUKUDI.
COPY TO:
THE SECTION OFFICER, CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI .

ORDER IN
CRL MP(MD) No.10371 of 2023 IN
CRL RC(MD) No.525 of 2023
Date :18/08/2023

SA/VRS/SAR. /29.08.2023/4P/3C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.