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

Friday, the Eleventh day of August Two Thousand and Twenty Three
PRESENT

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

CRL MP(MD) No.10331 of 2023
in
CRL RC(MD)No.497 of 2023

GOMATHY

... PETITIONER/PETITIONER/
PETITIONER/ ACCUSED

Vs

S.JAGADEESAN

... RESPONDENT/RESPONDENT/
RESPONDENT/COMPLAINANT

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to pass an order of extension of time in CrI.M.P.(MD)No.8506 of 2023 in CrI.R.C.(MD)No.497 of 2023 dated 16.06.2023 to deposit the 50 percent compensation amount before the Judicial Magistrate(Fast Track Court)Pattukottai.

Prayer in CR RC(MD) No.497 of 2023:

To allow the Criminal Revision Petition by set aside the order of Rejection of unfiled Appeal CFR No.13377/2023 in UF CA Dated 10.04.2023 passed by the Principal Sessions Judge, Thanjavur with a direction to take up the appeal on file and proceed in accordance with law.

Order : This Criminal Miscellaneous Petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.B.JAMEEL ARASU, Advocate for the Respondent and of none appeared either in person or through by an advocate on behalf of the petitioner, the Court made the following order:-

This Criminal Miscellaneous Petition has been filed seeking an extension of

time in CrI.M.P.(MD)No.8506 of 2023 in CrI.RC.(MD).NO.497 of 2023 dated



16.06.2023 to deposit the 50 percent compensation amount before the Judicial
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Magistrate (Fast Track Court) Pattukottai.

2. This Court, by order, dated 16.06.2023, has suspended the sentence imposed on the petitioner with a following directions:

"7. Accordingly, the relief of suspension of sentence is granted to the petitioner on the following conditions:-

(i) the petitioner shall deposit 50% of the compensation amount on or before 13.07.2023 to the credit in S.T.C.No.57 of 2020 Judicial Magistrate, (Fast Track Court) Pattukottai, failing which the sentence suspended shall automatically dismissed and the respondent is at liberty to execute the sentence imposed by the trial Court against the petitioner in the manner know to law;

(ii) on such deposit, the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate, (Fast Track Court), Pattukottai;

(iii) the sureties shall affix their photographs and left thumb impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass book to ensure their identity; and

(iv) the petitioner shall appear before the trial Court once in a month i.e., on the first working day of every English calendar month at 10.30 a.m., until further orders



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and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 of Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by this Court."

The same was posted for compliance on 19.07.2023. Subsequently, this Court, passed the following order:

"This Court, by order, dated 16.06.2023 directed the petitioner to deposit 50% of the compensation amount, without complying the said condition, the petitioner seeks further adjournment.

Post on 27.07.2023, finally, if the order is not complied with, on that day, the orders will be passed on merits."

3. Even today(11.08.2023), there is no representation on behalf of the petitioner and also no compliance has been reported. Therefore, this Criminal Miscellaneous Petition stands dismissed.

sd/-
11/08/2023

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

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TO

- 1 THE PRINCIPAL SESSIONS JUDGE, THANJAVUR.
- 2 THE JUDICIAL MAGISTRATE,
FAST TRACK COURT, PATTUKOTTAI.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

ORDER
IN
CRL MP(MD) No.10331 of 2023
in
CRL RC(MD)No.497 of 2023
Date :11/08/2023
(1/2)

SS/VR/29/08/2023/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023