



WEB COPY

CrI.O.P.(MD)No.14766 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.08.2023**

CORAM:

THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN

CrI.O.P.(MD) No.14766 of 2023

Venkatesan

... Petitioner

Vs.

Senthilkumar

..Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to grant further one month time period to deposit 20% of compensation (i.e.,) 20% of Rs.6,50,000/- to the Judicial Magistrate No.1, Pudukkottai as directed in Cr.M.P.No.1053 of 2023 dated 31.03.2023, on the file of the learned Judicial Magistrate No.1, Pudukkottai.

For Petitioner : Mr.R.Paranjothi
for M/s.KBS Law Office



WEB COPY

CrI.O.P.(MD)No.14766 of 2023



ORDER

This Criminal Original Petition is filed seeking for further one month time period to deposit 20% of compensation (ie.,) Rs.6,50,000/- (Rupees Six Lakhs Fifty Thousand only) to the learned Judicial Magistrate No.1, Pudukkottai as directed in Cr.M.P.No.1053 of 2023 dated 31.03.2023, on the file of the learned Judicial Magistrate No.1, Pudukkottai.

2. The petitioner is the accused in S.T.C.No.135 of 2019 on the file of the learned Judicial Magistrate No.1, Pudukkottai. The learned Magistrate has convicted the petitioner and sentenced him to undergo simple imprisonment for six months for the offence under Section 138 of the Negotiable Instrument Act and to pay a compensation of Rs. 6,50,000/- (Rupees Six Lakhs Fifty Thousand only) to the respondent herein. The same is challenged by the petitioner by way of filing C.A.No.46 of 2023 before the Principal District and Sessions Court, Pudukkottai along with suspension of sentence petition in Cr.M.P.No.1053 of 2023. The learned Principal District and Sessions Judge, considering the facts and circumstances, on 31.03.2023, has granted suspension of sentence on condition that the petitioner shall



deposit 20% of the compensation (i.e.,) Rs.6,50,000/- (Rupees Six Lakhs Fifty Thousand only) within three days from the date of the order.

However, the petitioner has not deposited the amount and has filed a petition in Crl.M.P.No.1160 of 2023 seeking for further time to deposit the said amount before the learned Principal District and Sessions Judge and the learned Principal District and Sessions Judge has also granted one month time. In spite of that, he has not deposited the said amount.

3. The learned counsel appearing for the petitioner that on account of his financial constraint and the suspension order issued by the Department, he could not be able to secure the money. Hence, the present petition has been filed seeking further time to deposit 20% of compensation (i.e.,) Rs.6,50,000/- (Rupees Six Lakhs Fifty Thousand only).

4. The petitioner was granted suspension of sentence on condition that the petitioner shall deposit 20% of the compensation (i.e.,) Rs.6,50,000/- (Rupees Six Lakhs Fifty Thousand only) within three days from the date of the order. However, he did not deposit the amount and has filed a petition seeking further time to deposit the said amount and the Court below has also granted one month further time. Though



CrI.O.P.(MD)No.14766 of 2023

sufficient opportunity has been given to the petitioner to deposit the compensation amount, he did not deposit the amount and filed the present petition seeking one month further period to deposit the amount. Considering the conduct of the petitioner and sufficient time is already afforded, this Court is not inclined to grant further time to the petitioner to deposit 20% of compensation.

5. Accordingly, this Criminal Original Petition is dismissed.

Index : Yes/No
Internet : Yes/No
ssb

14.08.2023



WEB COPY



CrI.O.P.(MD)No.14766 of 2023

K.K.RAMAKRISHNAN,J

ssb

CrI.O.P.(MD)No.14766 of 2023

14.08.2023