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CrI.O.P.(MD)No.23363 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.12.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

CrI.O.P.(MD)No.23363 of 2023

Harish Kumar

... Petitioner

Vs.

C.Ramalingam
rep. by his Power Agent,
C.Prakash

... Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to extend the time limit fixed by the learned Principal District Judge, Thoothukudi, by order, dated 17.10.2023 for deposit of 20% of the cheque amount i.e., Rs.60,000/- in Cr.M.P.No.6708 of 2023, in C.A.No.201 of 2023.

For petitioner : Mr.K.Sharan

ORDER

This petition has been filed to extend the time limit fixed by the learned Principal District Judge, Thoothukudi, by order, dated 17.10.2023 for deposit of 20% of the cheque amount i.e., Rs.60,000/- in Cr.M.P.No.6708 of 2023, in C.A.No.201 of 2023.



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2.The petitioner was convicted and sentenced to undergo 6 months simple imprisonment and Rs.4,50,000/- (Rupees Four Lakhs and Fifty Thousand only) was ordered to pay as compensation to the defacto complainant, in default one month simple imprisonment. Against which, he preferred an appeal before the appellate Court. The appellate Court entertained the appeal, of course directing the petitioner to deposit 20% of the compensation amount i.e., Rs.60,000/-, within a time stipulated. The petitioner seeking extension of time, filed a petition before the appellate Court. That came to be returned as it is not maintainable.

3.The maintainability ought not to have been decided by the appellate Court on the administrative side. It must be decided on its judicial side. Whatever may be, the learned counsel for the petitioner seeks 20 days time to deposit the amount as decided by the appellate Court.

4.In view of the above said submissions, there shall be a direction to the petitioner to deposit the 20% of the compensation amount i.e., Rs.60,000/- (Rupees Sixty Thousand only) before the trial Court as directed by the appellate Court, within a period of twenty days from the date of receipt of a copy of this order.



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5. With the above said directions, this criminal original petition stands disposed of.

22.12.2023

Index : Yes/No
Internet : Yes/No
TM

To

1. The Principal District Judge, Thoothukudi.
2. The Judicial Magistrate, Fast Track Court, Kovilpatti.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

TM

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