



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 30.01.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**CRL.O.P No.1399 of 2024**

Manjunath

...Petitioner

Vs.

The State rep. by  
The Inspector of Police,  
Ketti Police Station,  
Udhagamandalam.  
(Crime No.81 of 2020)

...Respondent

**PRAYER** : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to set aside the order dated 11.12.2023 passed in CrI.M.P.No.1186 of 2023 in C.A.No.89 of 2023 on the file of the Court of Sessions Division of the Nilgiris District at Udhagamandalam.

For Petitioner : Mr.G.MageshKumar

For Respondent : Mr.A.Damodaran  
Additional Public Prosecutor



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## **ORDER**

This petition has been filed challenging one of the condition imposed by the Court below while passing order in CrI.M.P.No.1186 of 2023 dated 11.12.2023, wherein, while suspending the sentence, the Court below ordered the petitioner to pay a compensation of Rs.1,00,000/- (Rupees One Lakh only) to the defacto complainant.

2.Heard the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the respondent.

3.The petitioner was convicted for offence under Section 304 (A) of IPC and was sentenced to undergo one year simple imprisonment and to pay a compensation of Rs.1,00,000/- (Rupees One Lakh only) to PW1 and in default to undergo six months simple imprisonment. Aggrieved by this judgment passed by the learned Judicial Magistrate, Coonoor in C.C.No.53 of 2021, dated 27.11.2023, the petitioner filed an appeal before the Court below in C.A.No.89 of 2023.

4.The petitioner also filed an application for suspension of sentence pending disposal of the appeal. The Court below allowed this application subject to certain



conditions. The petitioner is aggrieved by one such condition imposed by the Court below to the effect that the petitioner must pay the compensation of Rs.1,00,000/- (Rupees One Lakh only) to PW1, within a period of one month, failing which, he must surrender before the Trial Court.

5. Taking into consideration the facts and circumstances of the case and the materials available on record, this Court is inclined to modify the above condition imposed by the Court below and there shall be a direction to the petitioner to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) on the file of C.C.No.53 of 2021 before the learned Judicial Magistrate Court, Coonoor, within a period of four weeks from the date of receipt of copy of this order. The other conditions imposed by the Court below shall stand as it is.

6. This criminal original petition is disposed of in the above terms.

**30.01.2024**

Index: Yes/No  
Speaking order/Non-speaking Order  
Neutral Citation: Yes/No  
ssr

**Note: Issue order Copy on 31.01.2024**



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**N.ANAND VENKATESH, J**

SSR

To

- 1.The Court of Sessions Division of the Nilgiris District at Udhagamandalam.
- 2.The Inspector of Police,  
Ketti Police Station,  
Udhagamandalam.
- 3.The Public Prosecutor,  
High Court, Madras.

**CRL.O.P No.1399 of 2024**

**30.01.2024**