



Crl.R.C.No.52 of 2024

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WEB C M.NIRMAL KUMAR., J.

The learned counsel for the petitioner submits that the petitioner as accused faced trial before the learned Metropolitan Magistrate, Fast Track Court No.IV, George Town, Chennai in C.C.No.250 of 2016. the Trial Court convicted the petitioner and sentenced him to undergo ten months simple imprisonment and to pay a compensation of Rs.8,40,000/- [which is the cheque amount] with interest @ 9% per annum. Aggrieved against the same, the petitioner preferred an appeal before the learned VI Additional Sessions Judge, Chennai in C.A.No.190 of 2019. The Sessions Court by judgment dated 04.03.2020 dismissed the appeal for non-prosecution by confirming the conviction and sentence imposed by the Trial Court and the petitioner was taken into custody. Thereafter, the petitioner preferred a revision petition before this Court in Crl.R.C.No.648 of 2021.

2.He would submit that this Court by order dated 22.10.2021 passed a conditional order directing the petitioner to deposit 50% of the cheque amount i.e., Rs.4,20,000/- to the credit of C.C.No.250 of 2016 before the learned Metropolitan Magistrate, Fast Track Court No.IV, George Town, Chennai. Pursuant to the order of this Court, the petitioner deposited



Rs.4,20,000/- to the credit of C.C.No.250 of 2016 and filed the copy of the receipt before the Registry vide USR.No.8433. Recording the same, this Court by order dated 16.11.2021 in Crl.M.P.No.10621 of 2021 in Crl.RC.No.648 of 2021 suspended the sentence imposed by the Trial Court. Thereafter, this Court allowed the revision petition and set aside the judgment passed by the Sessions Court and directed the Sessions Court to hear the petitioner and decide the appeal on merits.

3.Today, the learned counsel for the petitioner submitted that the balance 50% of the cheque amount i.e., Rs.4,20,000/- has been deposited before the Trial Court and a copy of the receipt has been produced.

4.The learned counsel for the respondent submitted that the respondent is yet to see the colour of the coin and he may be permitted to withdrawn the amount deposited by the petitioner pursuant to the order dated 22.10.2021 as well as the amount deposited on 23.02.2024. The learned counsel further seeks small accommodation to file a petition under Section 147 of Negotiable Instruments Act.



Crl.R.C.No.52 of 2024

5.Post the matter on 01.03.2024 under the caption 'For Orders'.

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23.02.2024

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Crl.R.C.No.52 of 2024

M.NIRMAL KUMAR.J.,

cse

Crl.R.C.No.52 of 2024

23.02.2024