



Criminal Original Petition No.3490 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.3490 of 2024

Yuvarani
D/o.T.Balasubramani

...Petitioner

Vs

C.Rajendran
S/o.Chidambaram

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, to set aside the docket order in SR No.594 of 2024 dated 18.01.2024 in CrI.M.P.No.28369 of 2023 in C.A.No.684 of 2023 on the file of Principal District and Sessions Judge, City Civil Court at Chennai by allowing this Criminal Original Petition.

For Petitioner : Mr.A.Balasingh Ramanujam



Criminal Original Petition No.3490 of 2024

ORDER

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This petition has been filed seeking for extension of time to deposit 20% of the compensation amount imposed as a condition by the Court below for granting suspension of sentence in favour of the petitioner.

2. The petitioner faced trial before the Metropolitan Magistrate, Fast Track Court-I, Egmore @ Allikulam, Chennai, for an offence under Section 138 of the Negotiable Instruments Act. The trial Court, by judgment dated 13.10.2023, convicted the petitioner and sentenced him to undergo one year simple imprisonment with fine of the cheque amount in default to undergo 3 months simple imprisonment.

3. Aggrieved by the said judgment, the petitioner filed an appeal before the Principal District and Sessions Judge, City Civil Court, Chennai. Along with the appeal, the petitioner also filed a petition for suspension of sentence. The appellate Court by an order dated 07.11.2023 suspended the sentence by imposing certain conditions. One of the conditions imposed by



Criminal Original Petition No.3490 of 2024

the appellate Court was that the petitioner should deposit 20% of the compensation amount ordered by the trial Court.

4. The learned counsel for the petitioner submitted that the petitioner was not able to arrange for making this deposit due to financial constraints and therefore, the present petition has been filed seeking for extension of time. The learned counsel further submitted that the petitioner will deposit this amount within a period of one week from today.

Taking into consideration the facts and circumstances of the case, this Criminal Original Petition is disposed of with a direction to the petitioner to deposit 20% of the compensation amount ordered by the trial Court within a period of one week from today. The other conditions imposed by the appellate Court shall stand as it is. It is made clear that if the petitioner fails to deposit the amount within the time stipulated by this Court, the



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Criminal Original Petition No.3490 of 2024

N.ANAND VENKATESH, J
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suspension of sentence granted in favour of the petitioner shall stand cancelled automatically without any further reference to this Court.

16.02.2024

Note: Issue order copy by 19.02.2024

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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To

1.The Principal District and Sessions Judge,
City Civil Court at Chennai.

2.The Metropolitan Magistrate,
Fast Track Court-I,
Egmore @ Allikulam, Chennai.

3.The Public Prosecutor,
High Court, Madras.

Criminal Original Petition No.3490 of 2024