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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.1778 of 2024
and CRL.M.P No.1230 of 2024

Meganath Karthick

...Petitioner

Vs.

C.M.Babu

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to set aside the order dated 30.11.2023 in Criminal M.P.No.30833 of 2023 in CrI.A.No.746 of 2023 on the file of the Principal Sessions Court, Chennai, now transferred to the XXII Additional City Civil Court, Chennai, in so far it imposes a condition on the petitioner to deposit 20% of the compensation amount.

For Petitioner : Mr.T.Saikrishnan

ORDER

This criminal original petition has been filed challenging one of the condition that was imposed by the Court below while suspending the sentence



in Crl.M.P.No.30833 of 2023 in Crl.A.No.746 of 2023, dated 30.11.2023,

wherein, the petitioner was directed to deposit 20% of the compensation amount as a condition for suspension of sentence.

2.This Court has carefully considered the submissions made by the learned counsel for the petitioner and also the materials available on record.

3.The petitioner had taken a very specific stand before the Trial Court that the entire amount was settled to the respondent pursuant to the loan taken from the respondent and that the respondent had misused the signed blank cheques given as security. This Court carefully went through the findings of the Trial Court in this regard. *Prima facie*, this Court is convinced that there is an arguable point in the criminal appeal.

4.In the light of the above discussion, this Court is inclined to modify the condition imposed by the Court below and there shall be a direction to the petitioner to deposit a sum of Rs3,50,000/- (Rupees Three Lakh Fifty Thousand only) before the Trial Court, within a period of four weeks from today. If this condition is not complied with, the Court below shall cancel the suspension of sentence order and shall secure the petitioner to undergo the sentence imposed



by the Trial Court.

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5.This criminal original petition is disposed of with the above directions.

Consequently, connected miscellaneous petition is closed.

02.02.2024

Index: Yes/No

Speaking order/Non-speaking Order

Neutral Citation: Yes/No

ssr

To

1.The Principal Sessions Court, Chennai.

2.The XXII Additional City Civil Court, Chennai.

3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSR

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