



Crl.M.P.No.6177 of 2024 in Crl.R.C.No.1119 of 2018

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R.HEMALATHA, J.

This Court vide orders dated 28.10.2022 in Crl.R.C.No.1119 of 2018, confirmed the conviction and Judgment passed by both the Courts below against the respondent/accused under Section 138 of the Negotiable Instruments Act. However, the sentence was modified to the effect that the petitioner shall pay a sum of Rs.7,00,000/- directly to the respondent by way of Demand Draft, within a period of six weeks from the date of the order, failing which, the sentence imposed by the Courts below, would stand automatically restored.

2. Now the petitioner has filed the present Crl.M.P.No.6177 of 2024, praying to direct the Judicial Magistrate I, Sankari to secure the presence of the accused to undergo remaining period of imprisonment passed in S.T.C.No.2246 of 2013 since he failed to comply with the orders passed by this Court in Crl.R.C.No.1119 of 2018.

3. Mr.B.Gopalakrishnan, learned counsel for the Respondent reported no instructions.



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4. This matter was actually posted on 04.04.2024 and on that day, the counsel for the respondent sought adjournment to get instructions from the client, but today he reported no instructions.

5. In the circumstances, the respondent is directed to surrender before the learned Judicial Magistrate I, sankari to serve the remaining period of sentence, within a period of 15 days from the date of receipt of a copy of this order, failing which, the learned Judicial Magistrate I Sankari shall take necessary steps to secure the presence of the accused to undergo the remaining period of sentence.

6. With the above observation, this Criminal Miscellaneous Petition is disposed of.

08.04.2024

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