



Crl.MP.No.8493 of 2024

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and

Crl.A.No.266 of 2021

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M.DHANDAPANI, J.

The present Miscellaneous petition has been filed seeking to suspend the fine amount of Rs.5,40,000/- imposed by the learned Special Judge, Special Court under TNPID Act, Coimbatore in CC.No.1 of 2017, vide order dated 11.02.2021.

2. Learned counsel for the petitioner submitted that, the trial court vide order dated 11.02.2021 made in CC.No.1 of 2017 convicted the petitioner/appellant for the offence under Sections 120B & 420 of IPC and Section 5 of the TNPID Act 1997 and he was sentenced to undergo a total period of eight years of simple imprisonment and was ordered to pay a total compensation of Rs.5,40,000/-, aggrieved by which, the above appeal has been filed along with this petition seeking suspension of fine amount imposed by the trial court. Further, the sentence imposed on her has already been favourably considered by this Court. It is the further submission of the learned counsel for the petitioner that, the petitioner's husband passed away and it is the petitioner who has to take care of her children and thereby, the



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petitioner is unable to pay the compensation as ordered by the trial court.

However, he fairly submitted that, the petitioner is mobilizing the fund and without prejudice to her rights, the petitioner is ready to deposit the entire compensation ordered by the trial court and only sought for a further period of three months for payment of the said amount.

3. Learned Additional Public Prosecutor appearing for the respondent submitted that, the trial court, vide order dated 11.02.2021 directed the petitioner to pay a compensation of Rs.5,40,000/- within a particular time, however, till date, the petitioner had not complied with the said order and the petitioner has come up with the present miscellaneous petition seeking to suspend the fine imposed by the trial court after a lapse of more than three years. Accordingly, she prayed for appropriate orders.

4. Heard learned counsel on either side and perused the materials available on record.

5. It is evident from the materials available on record that the sentence



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imposed on the petitioner has already been suspended and direction was given to deposit the fine amount pending consideration of the appeal. While so, instead of complying with the order of this court, the petitioner/ appellant has come up with the present petition seeking suspension of fine amount, which cannot be acceded to.

6. Accordingly, this Criminal Miscellaneous petition seeking to suspend the fine amount of Rs.5,40,000/- imposed by the trial in CC.No.1 of 2017, vide order dated 11.02.2021 is **dismissed**. Further, it is open to the respondent to initiate recovery proceedings in the manner known to law to recover the amount.

14.06.2024

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