



WEB COPY



CrL.OP.No.11340 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrL.OP.No.11340 of 2024

and

CrL.MP.No.7634 of 2024

Dr.Monisha M.R

... Petitioner

Vs.

Sanjay Gupta

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside and modify the condition imposed in CrL.MP.No.8055 of 2024 in CrL.A.No.199 of 2024 dated 14.03.2024 on the file of the Hon'ble Principal Sessions Judge, City Civil Court, Chennai.

For Petitioner : Mr.V.G.Velmurugan

For Respondent : Mr.A.Vijaya Kumar
for Mr.M.Devaraj

ORDER

The petitioner herein was convict in criminal complaint initiated under Section 138 of Negotiable Instruments Act.



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2. The Appellate Court while suspending the sentence, directed the petitioner to deposit 20% of the compensation amount i.e., 13,00,000/-.

Since the cheque amount is Rs.65,00,000/-. Being aggrieved by the said condition the petitioner has approached this Court seeking modification of the condition. This Court vide order dated 09.05.2024 directed the petitioner to deposit 10% of the compensation amount on or before 30.05.2024. Accordingly, the petitioner has deposited Rs.6,50,000/- by way of Demand Draft dated 15.05.2024.

3. When the matter came up for hearing today, the learned counsel for appearing the defacto complainant submitted that the petitioner gainfully employed and even after suffering conviction not inclined to pay the cheque amount.

4. Considering the nature of the complaint and the findings of the Court below, this Court is of the view that the modified order of depositing 10% of the compensation amount for granting suspension of sentence stands confirmed. The Appellate Court shall take up the appeal as expeditiously as possible and dispose it of on merits.



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5. With the above direction, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

11.06.2024

Vv

To

1. The Principal Sessions Judge,
City Civil Court, Chennai.
2. The Public Prosecutor,
High Court of Madras,
Chennai.

Dr.G.JAYACHANDRAN,J.



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