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Crl.M.P.No.7771 of 2024
in
CRL.R.C.SR.No.25552 of 2024

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M.DHANDAPANI, J.

The present Miscellaneous petition has been filed seeking to condone the delay of 124 days in preferring the above criminal revision case.

2. The learned counsel appearing for the respondent submits that the petitioner was convicted for the offence punishable under Section 138 of Negotiable Instruments Act and sentenced to undergo six months simple imprisonment and was directed to pay the cheque amount of Rs.18,00,000/- and Rs.2,00,000/- as compensation under Section 357 Cr.P.C, within a period of 30 days from the date of order, in default, to undergo two months simple imprisonment vide judgment dated 15.02.2023 passed in C.C.No.1771 of 2021 by the learned Metropolitan Magistrate, Fast Track Court No.II, Egmore, Allikulam, Chennai, against which, the petitioner preferred appeal in Crl.A.No.185 of 2023. The Sessions Court, while



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entertaining the appeal, directed the petitioner to deposit 20% of the cheque amount, however, the conditional order was not complied with and the appeal was dismissed. Challenging the same, the petitioner has filed a criminal revision case before this Court along with a petition in CrI.M.P.No.1901 of 2024 in CrI.R.C.SR.No.60964 of 2023 to dispense with the production of certified copy of the judgment in C.C.No.1772 of 2021 dated 15.02.2023 and the same was dismissed on the ground of non-compliance of the order of the Court. Suppressing the same, the petitioner again filed the present revision case. Hence, he prays for dismissal of the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is ready to deposit 50% of the cheque amount to the credit of C.C.No.1772 of 2021 on the file of the learned Metropolitan Magistrate, Fast Track Court No.II, Egmore, Allikulam, Chennai.

4. Considering the submission made by the learned counsel



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appearing for the petitioner, this miscellaneous petition is allowed and the delay of 124 days in filing the criminal revision, is condoned subject to payment of 50% of the cheque amount to the credit of C.C.No.1772 of 2021 on the file of the learned Metropolitan Magistrate, Fast Track Court No.II, Egmore, Allikulam, Chennai, within a period of four weeks from the date of receipt of this order, failing which, the petition shall stand dismissed automatically, without further reference to this Court. The petitioner is directed to produce the proof for the payment being made by him before the Registry.

5. On production of the proof for the payment being made by the petitioner, Registry is directed to number the criminal revision, if the papers are otherwise in order and post the main case for admission.

20.06.2024

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