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Crl.M.P.No.11818 of 2024
in
Crl.R.C.SR.No.38490 of 2024

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M.NIRMAL KUMAR, J.

This petition is filed to condone the delay of 149 days in filing the above criminal revision.

2.The petitioner/accused was convicted by the trial Court in S.T.C.No.822 of 2019 on a private complaint filed by the respondent under Section 138 of the Negotiable Instruments Act and sentenced to undergo 10 months simple imprisonment and to pay the cheque amount of Rs.10,00,000/- as compensation with interest rate at 9% per annum. Aggrieved against the same, the petitioner preferred an appeal in C.A.No.42 of 2023 before the learned Additional District Judge, Fast Track Court, Villupuram. The learned District Judge, by judgment dated 30.11.2023 dismissed the appeal confirming the conviction of the trial Court, against which, the present revision is filed.

3.Mr.G.Pugazhenth, learned counsel for respondent strongly objected for condonation of delay of 149 days for the reason that petitioner after suffering two concurrent findings and jail sentence against him, not taken any steps. With great difficulty conviction warrant executed and the petitioner was arrested on 11.07.2024. Thereafter only present petition has been filed.



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4.The learned counsel for petitioner submitted that petitioner would ensure that 50% of the cheque amount, i.e., Rs.5,00,000/- deposited to the credit of S.T.C.No.822 of 2019 at the time of admission.

5.The learned counsel for respondent submitted that in the event of petitioner ensuring 50% of the cheque amount of Rs.5,00,000/- credited in S.T.C.No.822 of 2019, he has got no serious objection in condoning the delay.

6.In view of the same, the delay stands condoned and the petition is ordered.

5.Registry is directed to number the Criminal Revision Case, if it is otherwise in order and post the same for admission on 03.10.2024.

6.The petitioner to produce the proof of deposit of Rs.5,00,000/- before the Lower Court at the time of admission on 03.10.2024.

26.09.2024

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