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Crl.O.P.No.21406 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.21406 of 2024

C.S.Arulraj ... Petitioner

Vs.

A.Ramanujam ... Respondent

PRAYER: The Criminal Original Petition filed under Section 528 of B.N.S.S., 2023 praying to extend the time to deposit the conditional amount being 20% of the total compensation amount passed by the learned Principal Sessions Judge, Chennai in Crl.M.P.No.31877 of 2023 in C.A.No.773 of 2023 dated 14.12.2023.

For Petitioner : Mr.A.P.Sathyamurthy
For Respondent : Mr.S.Santhosh,
Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking extension of time for compliance of the conditional order passed by the learned Principal Sessions Judge, Chennai in Crl.M.P.No.31877 of 2023 in C.A.No.773 of 2023 dated 14.12.2023.



Crl.O.P.No.21406 of 2024

WEB COPY

2. The respondent filed a private complaint as against the petitioner in C.C.No.1187 of 2021 on the file of the Fast Tract Court No.I, Egmore, Allikulam, for the offence under Section 138 of the Negotiable Instruments Act. After trial, the learned Magistrate found the petitioner guilty and convicted him for the offence under Section 138 of the NI Act and sentenced him to undergo one year simple imprisonment and ordered to pay compensation vide order dated 15.11.2023. Aggrieved over the same, the petitioner filed Crl.A.No.773 of 2023 on the file of the learned Sessions Judge, Chennai. Subsequently, the petitioner has filed Crl.M.P.No.31877 of 2023 seeking suspension of sentence pending disposal of the abovesaid appeal. The learned Sessions Court, Chennai while suspending the sentence, directed the petitioner to deposit 20% of total compensation amount, to the credit of C.C.No.1187 of 2021 on the file of the Fast Tract Court No.I, Egmore, Allikulam. The present petition has been filed by the petitioner seeking extension of time to comply with the abovesaid condition.

3. Heard both sides.



Crl.O.P.No.21406 of 2024

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4 Considering the submissions made by the learned counsel on either side and the reasons stated in the affidavit filed by the petitioner that he was unable to mobilise the funds due to poor financial conditions, this Court is inclined to grant extension of time for a period of one month, from the date of receipt of a copy of this order to comply with the conditional order dated 14.12.2023 passed by the learned Principal Sessions Judge, Chennai in Crl.M.P.No.31877 of 2023 in C.A.No.773 of 2023.

5. Accordingly, the Criminal Original Petition is ordered.

12.09.2024
(2/3)

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To

1. The Principal Sessions Judge, Chennai

P.DHANABAL , J



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12.09.2024