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CrI.O.P.No.23477 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.23477 of 2024

K.Ramesh

... Petitioner/Accused

-VS-

N.K.Ramprasanth

... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS., to modify the condition that petitioner shall deposit 20% of compensation amount for period of sixty days before the Judicial Magistrate, Tiruthani to the credit of STC No.380 of 2022, the order dated 03.08.2024 made in CrI.M.P.No.4252 of 2024 on the file of the Principal District and Sessions Judge, Thiruvallur, enabling the petitioner to comply with the order.

For Petitioner : Mr.P.Chandrasekar

ORDER

The petitioner was found guilty by the trial Court for offence under Section 138 of N.I Act and sentenced to undergo 10 months S.I and to pay Rs.27,37,960/- within two months as compensation, in default to undergo further two months S.I.



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2. The petitioner, being aggrieved by the trial Court order, has preferred appeal and the same is pending. In his application for suspension of sentence, the First Appellate Court has imposed condition to deposit 20% of the compensation amount. Being aggrieved by the order of the First Appellate Court, the present Criminal Original petition is filed for modification of the condition.

3. Perusal of the record indicates that twice the amount of the cheque been awarded as compensation. Therefore, this Court modify the condition to deposit 10% of the compensation amount on or before 15.10.2024 as a condition for suspension of sentence. The petitioner shall deposit the said amount in the STC account on or before 15.10.2024. On such deposit, the petitioner shall move the First Appellate Court for suspension of sentence and seek appropriate remedy.

4. With this observation, this Criminal Original Petition is disposed of.

25.09.2024

Index : Yes/No.
Internet : Yes/No.
bsm



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To:-

1. The Judicial Magistrate, Tiruthani.
2. The Principal District and Sessions Judge, Thiruvallur.



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Dr.G.JAYACHANDRAN,J.

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