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Crl.M.P.No. 13734 of 2024

and

Crl.R.C.No. 619 of 2024

M.NIRMAL KUMAR, J.

The petitioner / accused in a 138 case was granted suspension of sentence and exemption from surrender with conditions. One of the conditions is that the petitioner to deposit a sum of Rs.1,50,000/- which is the 50% of the cheque amount within a period of two weeks from the date of receipt of a copy of this order. This order was passed on 02.04.2024.

2. The petitioner has filed the present petition seeking extension of time to deposit the amount, since he was unable to mobilize Rs.1,50,000/- within the stipulated period due to his old age and health related ailments and the petitioner had to made borrowings and mobilize the fund. Now he had mobilized the amount and taken a Demand Draft in No.557033. The petitioner approached the lower Court to deposit the amount but, the lower Court failed to entertain the same for the reason that the time granted by this Court had already lapsed. Hence, he seeks extension of time.

M.NIRMAL KUMAR, J.



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3. The learned counsel for the respondent submitted that the petitioner is playing all dilatory tactics to drag on the proceedings. However, his request is that on deposit of Rs.1,50,000/-, the respondent / complainant may be permitted to withdraw the same.

4. The learned counsel for the petitioner has no objection but requests that the respondent / complainant may be permitted to withdraw the amount with an undertaking that subject to out come of the above revision.

5. In view of the same, this petition is ordered, the petitioner is permitted to deposit the amount before the Trial Court on or before 08.11.2024. The Trial Court receive the fine amount, if the petitioners intend to remit the same.

22.10.2024

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