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Crl.MP.No.15764 of 2024

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in

Crl.RC.No.95 of 2022

M.DHANDAPANI, J.

This Court, vide order dated 08.07.2024 allowed the above Criminal Revision case filed against the order dated 01.12.2021 made in Crl.MP.No.21 of 2021 in and by which, the delay petition filed by petitioner seeking to condone the delay in preferring the appeal against the order of acquittal has been dismissed by the lower appellate court and this Court directed the petitioner to deposit 50% of the cheque amount within a period of two weeks from the date of receipt of this order and further directed the petitioner to pay a sum of Rs.10,000/- as costs to the respondent/ complainant and upon production of such proofs by the petitioner, the appellate Court shall number the appeal filed by the petitioner as against the respondent and shall dispose of the said appeal on merits and in accordance with law within a period of three months from the date of filing of proofs by the petitioner, after providing sufficient opportunity to the petitioner and the respondent. Hence, the petitioner has come up with this Miscellaneous petition, seeking to modify the condition with regard to payment of 50% of the cheque amount and cost by the petitioner.



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2. Though the present petition has been filed seeking modification with regard to the deposit of 50% of the cheque amount and the cost as ordered by this Court, however, when the matter is taken up, the learned counsel for the petitioner, on instructions submitted that, it would suffice, if this Court grants a further period of two weeks to the petitioner for complying with the order of this Court dated 08.07.2024 in respect of payment of cheque amount and cost as ordered by this court.

3. In view of the aforesaid stand taken by the learned counsel for the petitioner, time is extended by a further period of two weeks from the date of receipt of a copy of this order for the petitioner to deposit 50% of the cheque amount and payment of cost of Rs.10,000/- in favour of the respondent/complainant. All other observations and conditions made in the earlier order dated 08.07.2024 shall remain intact.

4. Accordingly, this Criminal miscellaneous petition stands dismissed with the aforesaid directions.

19.11.2024

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Note to office: Issue order copy on 19.11.2024.



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