



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1177 of 2024

Sri Sai Agencies
Proprietor G.Ramesh
S/o.Govindaraj
C/o.Geetha
No.702, TNHB, Avadi,
Chennai – 600 054

... Petitioner

Vs.

N.Venkatesan

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to extend time to comply the order dated 18.07.2023 passed in Crl.M.P.No.2928 of 2023 in Crl.A.No.141 of 2023 on the file of the Principal District and Sessions Judge, Thiruvallur.

For Petitioner

: Mr.M.Sudhan



ORDER

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This petition has been filed to extend time to comply the order dated 18.07.2023 passed in CrI.M.P.No.2928 of 2023 in CrI.A.No.141 of 2023 on the file of the Principal District and Sessions Judge, Thiruvallur.

2.The petitioner faced trial before the Judicial Magistrate No.2, Ambattur, for an offence under Section 138 of the Negotiable Instruments Act. The trial Court by judgment dated 30.05.2023 convicted the petitioner and sentenced to undergo 6 months simple imprisonment and to pay the Rs.5,00,000/- with interest at 6% per annum from the date of complaint to the date of judgment as a compensation under Section 357(3) of Cr.P.C., in default to undergo one month simple imprisonment.

3.Aggrieved by the said judgment, the petitioner filed an appeal before the Principal Sessions Judge, Tiruvallur. Along with the appeal, the petitioner also filed a petition for suspension of sentence. The appellate Court suspended the sentence by imposing certain conditions. One of the conditions imposed by the appellate Court was that the petitioner should deposit 20% of the compensation amount before the trial Court within sixty days.



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4. The learned counsel for the petitioner submitted that the petitioner was not able to arrange for making this deposit due to financial constraints and therefore, the present petition has been filed seeking for extension of time. The learned counsel further submitted that the petitioner will deposit this amount within a period of four weeks from today.

5. Taking into consideration the facts and circumstances of the case, this Criminal Original Petition is disposed of with a direction to the petitioner to deposit 20% of the compensation amount ordered by the trial Court within a period of two weeks from today. The other conditions imposed by the appellate Court shall stand as it is. It is made clear that if the petitioner fails to deposit the amount within the time stipulated by this Court, the suspension of sentence granted in favour of the petitioner shall stand cancelled automatically without any further reference to this Court.

24.01.2024

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
ssr

Note: Issue Order Copy on 24.01.2024



N.ANAND VENKATESH, J

SSR

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To

- 1.The The Principal District and Sessions Judge, Thiruvallur.
- 2.The Public Prosecutor,
High Court, Madras.

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