



CRL MP(MD) No.419 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Twenty Second day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice VIVEK KUMAR SINGH

CRL MP(MD) No.419 of 2024

in

CRL RC(MD) No.1309 of 2024

1 S.SHUNMUGAVEL

2 S.KALIAMMAL

3 S.SHANMUGAVADIVEL

4 S.SIVASHUNMUGAVEL ... Petitioners / Petitioners / Petitioners 2 to 5

Vs

VINAYAK COTTON AGENCIES

133, COTTON MARKET,

RAJAPALAYAM,

VIRUDHUNAGAR DISTRICT.

REPRESENTED BY ITS MANAGER

S.SURIYACHANDRAN

... Respondent / Respondent / Respondent

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to extend the time granted in Crl MP(MD) No.16676/2023 in Crl RC(MD) No.1309/2023 dt.28.11.2023 for depositing the 20 percent of compensation amount to the credit of CC No.268/2020 on the file of Learned Fast Track Judicial Magistrate, Srivilliputtur.



CRL MP(MD) No.419 of 2024

Prayer in CRL RC(MD). 1309/ 2023 :

To call for records and set aside the Judgment dated 30.10.2023 in C.A.No.71 of 2021 on the file of the Learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur by confirming the order of conviction dt.23.04.2021 in C.C.No.268 of 2020 passed by the Learned Fast Track Judicial Magistrate, Srivilliputhur for the offence punishable under Section 138 of NI Act and allow this Criminal Revision.

Order : This criminal miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.MICHAEL BHARATHI.M, Advocate for the petitioners and of Mr.R.VIDHYA, Advocate on behalf of the Respondent, the court made the following order:-

This case has been listed today under the caption 'for extension of time' granted in Crl.M.P.(MD) No.16676 of 2023 in Crl.R.C.(MD) No.1309 of 2023 dated 28.11.2023 to deposit 20 percent of compensation amount to the credit of C.C.No.268 of 2020 on the file of learned Fast Track Judicial Magistrate, Srivilliputhur.

2.This Court has already allowed the Criminal Miscellaneous Petition by order dated 28.11.2023 and directed the petitioners to deposit 20% of the compensation amount to the credit of C.C.No.268 of 2020 on the file of the learned Fast Track Judicial Magistrate, Srivilliputhur, within a period of six weeks from the date of receipt of a copy of this order, failing which the sentence suspended shall automatically dismissed and the respondent is at liberty to execute the sentence imposed by the trial Court against the petitioners in the manner known to law.

3. Learned counsel for the petitioners submits that since the petitioners' mill



CRL MP(MD) No.419 of 2024

was closed, they could not deposit the 20 percent of compensation amount to the credit of C.C.No.268 of 2020 within a stipulated period as directed by this Court by its order dated 28.11.2023 and therefore, he has sought for extension of time to deposit the said compensation amount.

4. Considering the reasons stated in the affidavit and taking note of the fact that the petitioners' Mill was closed, this Court is inclined to grant further time and accordingly, one month time is granted to the petitioners for depositing 20 percent of compensation amount to the credit of C.C.No.268 of 2020 on the file of learned Fast Track Judicial Magistrate, Srivilliputhur and it is made clear that no further extension of time shall be granted to the petitioners and in case of failure on their part to deposit the 20 percent of compensation amount, it is open to the respondent to execute the sentence imposed by the trial Court against the petitioners in the manner known to law.

sd/-
22/01/2024

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/01/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PKN



CRL MP(MD) No.419 of 2024

To செய்து உரிமை

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1 THE PRINIPAL DISTRICT AND
SESSIONS JUDGE, VIRUDHUNAGAR DISTRICT.

2 THE FAST TRACK JUDICIAL
MAGISTRATE, SRIVILLIPUTHUR.

3 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

+1 CC to M/s.V.SASI KUMAR, Advocate (SR-947[I] dated 23/01/2024)

ORDER

IN

CRL MP(MD) No.419 of 2024

in

CRL RC(MD) No.1309 of 2024

Date :22/01/2024

ED/JGB /SAR- (29/01/2024) 4P / 5C

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