



Crl.M.P.(MD)No.3701 of 2024

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

Wednesday, the Eighteenth day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.M.P.(MD)No.3701 of 2024

in

Crl.R.C.(MD)No.918 of 2023

M.AYYAVU

... PETITIONER/RESPONDENT/
REVISION RESPONDENT

Vs

A.MATHEW

... RESPONDENT/PETITIONER/
REVISION PETITIONER

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to permit the petitioner to withdraw the 25 percent (Rs. 3,00,000/-) compensation amount which was deposited by the respondent to the credit of STC No. 166 of 2012 on the file of the learned Judicial Magistrate No.II Fast Track court at Magistrate Level), Madurai pursuant to the order passed in Crl MP(MD)No.12040 of 2023 dated 21.08.2023 on the file of this Hon'ble court,

Prayer in CRL RC(MD). 918/ 2023 :

To call for the records from the lower court and duly set aside the order passed by Honble Vth Additional District and Sessions Court,Madurai,Madurai District in CA No.30/2018 dt.13/4/2023 wherein he has confirmed the conviction of the learned Judicial Magistrate Court No.II(Fast Track Cout at Magisterial Level), Madurai, Madurai District in S.T.C.No.166 of 2012 dated 06.03.2018 by allowing this revision.



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Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.S.SRIKANTH, Advocate for M/S.APN LAW ASSOCIATES, for the petitioner and of MR.K.PRABHU, Advocate on behalf of the Respondent, the court made the following order:-

The above petition has been filed seeking permission to withdraw 25% of the compensation amount which came to be deposited by the respondent to the credit of S.T.C.No.166 of 2012 in pursuance of the direction of this Court in Crl.M.P.(MD) No.12040 of 2023 dated 21.08.2023.

2. It is evident from the records that the trial Court after trial has convicted the respondent and sentenced him to undergo 6 months simple imprisonment and to pay compensation of Rs.12,00,000/- vide judgment dated 06.03.2018 and that the same came to be confirmed by the appellate Court in Crl.A.No.30 of 2018 dated 13.04.2023 and challenging the dismissal of the appeal, the present revision came to be filed.

3. The learned counsel appearing for the respondent would submit that they are having objections to withdraw the amount but he has not specified the nature of the objections.

4. Considering the fact and circumstances and also the fact that the petitioner



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has sought for permission to withdraw only 25% of the compensation amount, the petitioner is permitted to withdraw 25% of the compensation amount which deposited by the respondent, on filing undertaking affidavit to re-deposit the amount as and when directed by this Court. Accordingly, this Criminal Miscellaneous Petition is allowed.

sd/-
18/09/2024

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/09/2024

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

csm

TO

1. THE VTH ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MADURAI,MADURAI DISTRICT
- 2.THE JUDICIAL MAGISTRATE NO.II
(FAST TRACK COUT AT MAGISTERIAL LEVEL), MADURAI.

ORDER
Crl.M.P.(MD)No.3701 of 2024
in
Crl.R.C.(MD)No.918 of 2023
Date :18/09/2024

RK/VR (23/09/2024) 3P / 3C

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