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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction**

Tuesday, the Tenth day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

**CRL MP(MD). No.8004 of 2024
in
CRL.RC.(MD).No.726 of 2023**

Jothi @ C.Daniel

... Petitioner/ Petitioner

Vs

P.Kavitha

... Respondent/ Respondent

Prayer in CRL MP(MD). No.8004 of 2024:-

Criminal Micellaneous Petition Under Section 482 of the Code of Criminal Procedure to extend the time granted by this Court in CrI.RC(MD).NO.726 of 2023 dated 08.09.2023.

Prayer in CRL.RC.(MD).No.726 of 2023:-

Criminal Revision Petition has been filed under Section 397 r/w 401 of Cr.P.C.,to call for the record and set aside the order passed in Cr.M.P.No.12660 of 2023 in S.T.C.No.3657 of 2014, dated 26.04.2023 by the learned Judicial Magistrate No.II, Tiruchirapalli" in so far as the is concerned condition No.1,the accused shall execute a bond for the cheque amount and condition No.2,the accused shall furnish two sureties for cheque amount out of which one surety blood surety,having assets equal to cheque amount.Photo copies of property documents of the surety shall also be furnished before the next hearing date and to allow the revision petition.



ORDER:- This Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.G.Prabhu Rajadurai, Advocate for the Petitioner and of Mr.J.Anand Kumar, Government Advocate for the respondent, this Court made the following order:

“This criminal miscellaneous petition has been filed to extend the time granted by this in CrI.RC.(MD)No.726 of 2023 dated 08.09.2023.

2.It is seen from the records that the petitioner has challenged the order passed in CrI.M.P.No.12660 of 2023 in STC.No.3657 of 2014 dated 26.04.2023 and this Court vide order dated 08.09.2023 directed the petitioner to deposit a sum of Rs.5,00,000/- to the credit of STC.No.3657 of 2014 on the file of the learned Judicial Magistrate No.II, Tiruchirappalli, within a period of four weeks from the date of receipt of copy of that order, that the petitioner has filed the present petition seeking extension of time and this Court, vide order dated 16.08.2024, taking note of the submission of the learned counsel appearing for the petitioner that the petitioner was ready to deposit a sum of Rs.10,00,000/- within three weeks, has directed the petitioner to deposit a sum of Rs.10,00,000/- on or before 20.08.2024 and that thereafter, when the case was taken up for hearing on 05.09.2024, considering the submissions of the learned counsel appearing for the petitioner that the petitioner has received the copy of the order dated 16.08.2024, only on 19.09.2024, this Court directed the petitioner to deposit the



amount as directed earlier, on or before 09.09.2024 and posted the case today ie., 10.09.2024.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner would submit that the petitioner has not complied with the directions of this Court and that they are leaving it to the Court.

4. The petitioner, despite getting sufficient opportunity to deposit the amount, has not complied with the order. Hence, this criminal miscellaneous petition is dismissed.

5. The learned counsel appearing for the respondent would submit that NBW is pending as against the petitioner.

6. The learned counsel appearing for the petitioner would submit that earlier this Court has directed the trial Court to dispose of the case, within three months. Since warrant is pending, the trial Court, after recalling the warrant, is directed to proceed with the case and dispose of the same, within a period of two months from the date on which the warrant is recalled."

Sd/-

Assistant Registrar(C.O)

// True Copy //

/10/2024

Sub Assistant Registrar
(CS- I/ II / III / IV)



1. The Judicial Magistrate No.II,
Tiruchirapalli.

Copy to:

The Section Officer,
Record Section (Criminal),
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.J.Anandkumar Advocate S.R.No50527

+1cc to M/S.G.Prabhu Rajadurai Advocate S.R.No.50642

ORDER DATED : 10/09/2024

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ORDER

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CRL MP(MD). No.8004 of 2024
in
CRL.RC.(MD).No.726 of 2023

KVL (23.10.2024) 4P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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