



CRL MP(MD). No.8164 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction
Monday, the Second day of September Two Thousand and Twenty Four
PRESENT
The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY
CRL MP(MD). No.8164 of 2024
in
Crl.OP(MD)No.23363 of 2023

Harish Kumar

... Petitioner/ Appellant/ Accused

Vs

C.Ramalingam

Rep by His Power Agent C.Prakash. ... Respondent/ Respondent/ Complainant

Prayer :-

Criminal Miscellaneous Petition U/S 528 of BNSS U/S 482 of Criminal Procedure Code, to extend time for 10 days limit fixed by this Honble High Court in Crl.O.P(MD).NO.23363 of 2023 dated 22.12.2023 or pass any such further or other orders as this Honble Court may deem fit.

Prayer in CRL OP(MD). 23363/ 2023 :

Criminal Original Petition is filed Under Section 482 of Cr.P.C to extend the time limit fixed by the Learned Principal District Judge, Thoothukudi by order dated 17.10.2023 for deposit of 20 percentage of the cheque amount i.e.Rs.60,000/- in Cr.M.P.No.6708/2023 in C.A.No.201 of 2023.

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 the order dated 22.12.2023 and upon hearing the arguments of Mr.K.Sharan, Advocate for the Petitioner and of the Respondent not appearing in person or by Advocate and this Court made the following order:

A condition was imposed by the order of this Court dated 22.12.2023 directing the petitioner to deposit 20% of the compensation amount within a period of four weeks therefrom.

<https://www.mmc.tn.gov.in/judis>



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2. The petitioner states that since the petitioner had subsequently attended to his wife's pregnancy and delivery, he could not immediately comply with the condition. He is now ready to comply with the condition and seeks for extension of time by one week.

3. Earlier the court notice was served to the defacto complainant and the same was returned as 'unserved'. Private notice was also ordered. It was returned with an endorsement that there is 'no such person'.

4. In view thereof, considering the fact that the Criminal Appeal is still pending and the complainant has not appeared before this court, instead of keeping the application pending for want of service, the same can be ordered and the amount can be deposited before the Lower Court. The complainant, if still he is aggrieved, can always approach this Court by appropriate application since the order is passed without service of notice to the complainant.

5. In view thereof, the time originally granted by this court is extended by one week from the date of receipt of a copy of this order.



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6. Accordingly, the Criminal Miscellaneous Petition shall stands disposed of.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/09/2024

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

Dss

TO

1. The Principal District Judge, Thoothukudi.
2. The Judicial Magistrate, Fast Track Court, Kovilpatti.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 02/09/2024

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ORDER

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CRL MP(MD). No.8164 of 2024

in

CrI.OP(MD)No.23363 of 2023

Giving direction and etc.
as stated within.

RD(20.09.2024) 3P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.