



CRL MP(MD) No.9690 of 2024

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

Friday, the Twentieth day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CrI.M.P.(MD)No.9690 of 2024

and

CrI.R.C.(MD)No.698 of 2024

A.SELVAKUMAR

... PETITIONER/PETITIONER/PETITIONER

Vs

S.ARULSENGOLRAJ

REPRESENTED BY HIS POWER AGENT

PRADEEP

... 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 modify the order of this Honble court in CrI M.P (MD) No. 7487/2024 in CrI RC (MD) No. 698 of 2024 dt. 29.07.2024 that the petitioner shall deposit a sum of Rs, 1,25,000/- (One Lakh Twenty Five Thousand) to the credit of the S.T.C No. 21 of 2022 on the file of the Judicial Magistrate Court(FTC), Pattukottai.

Prayer in CRL RC(MD). 698/ 2024 :

To call for the records of the Judgment dt. 10.04.2024 passed in C.A No. 147 of 2023 on the file of the III Additional District and Sessions Court, Thanjavur @ Pattukottai confirming the Judgment dt. 11.05.2023 passed in STC No. 21/2022 on the file of the Judicial Magistrate Court (FTC), Pattukkottai and set aside the same by allowing this revision petition.



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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.DINESH.K, Advocate for the petitioner, the court made the following order:-

The above petition has been filed seeking orders to modify the condition imposed in Crl.M.P.(MD)No.7487 of 2024 in Crl.R.C.(MD)No.698 of 2024 dated 29.07.2024, wherein, the petitioner was directed to deposit Rs.1,25,000/- to the credit of S.T.C.No.21 of 2022 on the file of the Judicial Magistrate, Fast Track Court, Pattukkottai.

2. The learned counsel appearing for the petitioner would submit that the petitioner as per the order of the appellate Court has already deposited Rs.82,000/- before the trial Court and the same was not brought to the knowledge of the learned Judge of this Court while hearing the petition in Crl.M.P.(MD)No.7487 of 2024 and therefore the condition was imposed directing the petitioner to deposit Rs.1,25,000/-.

3. But it is evident from the records that since the petitioner has given an undertaking to deposit further sum of Rs.1,25,000/- and as there was no antecedent against the petitioner and existence of some arguable points, this Court was inclined to grant suspension of sentence and while suspending the sentence, the petitioner was directed to deposit Rs.1,25,000/-.

4. Even according to the petitioner, the trial Court has awarded compensation of Rs.4,00,000/- and out of which, the petitioner has only deposited Rs.82,000/-



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before the trial Court and hence the condition of this Court directing the petitioner to deposit Rs.1,25,000/- is reasonable and the same cannot be found fault with.

Considering the above, this Court is not inclined to modify the condition.

5. At this juncture, the learned counsel appearing for the petitioner would submit that though this Court has directed the petitioner to deposit the amount on or before 20.08.2024, he has received the order copy only on 20.08.2024 and seeks further time to deposit the amount.

6. In the result, this Criminal Miscellaneous Petition is dismissed. The petitioner is directed to deposit the said amount of Rs.1,25,000/- (Rupees One Lakh and Twenty Five Thousand only) on or before 30.09.2024 as directed by this Court.

sd/-
20/09/2024

/ TRUE COPY /

23/09/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

CSM
TO
1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
THANJAVUR @ PATTUKOTTAI.

2 THE JUDICIAL MAGISTRATE (FTC),
PATTUKOTTAI.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.

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ORDER
IN
CRL MP(MD) No.9690 of 2024
Date :20/09/2024

SA/SAR. /23.09.2024/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.