



CRL MP(MD) No.17554 of 2023

WEB COPY

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

Thursday, the Fourth day of January Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice VIVEK KUMAR SINGH
CRL MP(MD) No.17554 of 2023
in
CRL RC(MD) No.769 of 2023

JEGANATHAN

... Petitioner / 1st Respondent / 1st Respondent

Vs

SUBBAIAH

... Respondent / Petitioner / Appellant

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to withdraw 20 percent of the deposited award amount deposited to the credit of CC No.670/2019 on the file of the Learned Fast Track Magistrate, Srivilliputhur in CC No.670/2019, pending disposal of the above Crl.RC(MD)No.769/2023 in CRL MP(MD) No.10396 of 2023 dated 20.07.2023.

Prayer in CRL RC(MD). 769/ 2023 :

To call for the records pertaining to the Judgment of conviction passed by the Learned Principal District and Sessions Court, Virudhunagar District at Srivilliputhur in Crl.A.No.24 of 2020 dt.29.11.2022 by confirming the order or conviction sentence passed by the learned Fast Track Magistrate, Srivilliputhur in C.C.No.670 of 2019 dated 27.01.2020 and set aside the same.

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.MAREES KUMAR.E, Advocate for the petitioner and of M/s.S.SURYA, Advocate on behalf of the Respondent, the court made the following order:-

The petitioner has filed this Criminal Miscellaneous Petition praying to withdraw 20% of the deposited award amount to the credit of C.C.No.670 of 2019 on



CRL MP(MD) No.17554 of 2023

the file of the learned Fast Track Magistrate, Srivilliputhur.

WEB COPY

2. The learned counsel for the petitioner submits that at the time of suspending the sentence, this Court directed the accused to deposit 20% of the cheque amount and the same was also deposited. Hence, he prays to withdraw the deposited amount.

3. The learned counsel for the respondent submits that he has no objection to withdraw the said amount.

4. Considering the facts and circumstances of the case and considering the fact that the petitioner has not received any compensation amount, it is appropriate to direct the trial Court to return the deposited amount. Accordingly, the petitioner is permitted to withdraw the deposited amount.

5. In the result, this criminal miscellaneous petition is allowed as prayed for by the petitioner.

sd/-
04/01/2024

/ TRUE COPY /

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

RM



CRL MP(MD) No.17554 of 2023

To **மேதர் உரிசர்**

WEB COPY

1.The Principal District and Sessions Judge,
Virudhunagar District at Srivilliputhur.

2.The Fast Track Magistrate,
Srivilliputhur.

3.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

+1 CC to M/s.E.MAREES KUMAR, Advocate (SR-189[I] dated 05/01/2024)

ORDER
IN
CRL MP(MD) No.17554 of 2023
in
CRL RC(MD) No.769 of 2023
Date :04/01/2024

ED/ VR /SAR- (08/01/2024) 3P / 5C

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