



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
Civil Appellate Jurisdiction

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Monday, the Third day of June Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

CRL MP(MD). No.455 of 2024

in

CRL MP(MD). No.8954 of 2023

in

CRL RC(MD) 241 of 2018

B.Indira

... Petitioner/ Petitioner/Petitioner

Vs

P.Nagarajan

... Respondent/Respondent/Respondent

Prayer in CRL MP(MD). No.455 of 2024

Criminal Miscellaneous Petition filed under section 482 of Cr.p.c to extend the time it is prayed that this Honble Court may be pleased to extend time to comply the order of this Hon'ble Court in Crl.MP(MD)No.8954/2023 in Crl.RC(MD) No.241/2018 dated 26/6/2023.

Prayer in CRL MP(MD). 8954/ 2023 :

Criminal Miscellaneous Petition filed under section 482 of Cr.p.c to extend the time it is prayed that this Hon'ble Court may pleased to extend the time to deposit the sum of Rs.400000/- in Crl.RC(MD)No.241 of 2018 on the file of this Hon'ble



Prayer in CRL RC(MD) No.241 of 2018

Criminal Revision Petition filed under section 397 r/w 401 of Cr.p.c to set aside the order of dismissal for non prosecution made in CA No.60 of 2017 by the Additional District and Sessions Judge, Palani, Dindigul dated 01.01.2018 by confirming the judgment made in STC No.27 of 2013 by the Judicial MAGISTRATE (Fast Track Court ), Palani dated 19.05.2017.

ORDER:- This 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.L.Manivasagam, Advocate for the Petitioner and none having appeared for the Respondent in person or by an Advocate this Court made the following order:

This Court vide orders dated 25.04.2023 in Crl.R.C.(MD) No.241 of 2018 had observed thus:

" 10.Accordingly, the conviction imposed by the Courts below is hereby confirmed. In so far as the sentence is concerned, it is set aside on condition that the petitioner shall deposit the remaining cheque amount, namely a sum of Rs.4,00,000/- on or before 19.06.2023 to the credit of S.T.C.No.7 of 2013 on the file of the trial

Court and on such deposit, the respondent is permitted to withdraw



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the entire cheque amount which is deposited by the petitioner on filing an appropriate application. If the petitioner failed to deposit the remaining cheque amount, the sentence imposed by the Courts below is hereby restored without any further reference to this Court and the respondent is at liberty to take appropriate steps to execute the conviction and sentence as against the petitioner in the manner known to law. Accordingly, this Criminal Revision Case is partly allowed. Consequently, connected Miscellaneous Petition is closed. "

2. The petitioner subsequently filed an application in CrI.M.P.(MD) No.8954 of 2023 before this Court seeking extension of time to deposit the aforesaid amount of Rs.4,00,000/-. This Court vide orders dated 26.06.2023 extended the time and directed the present petitioner to deposit the cheque amount on or before 28.07.2023. Due to financial crisis, the petitioner has not paid the amount within the time. Therefore, this second application has been filed by the petitioner for extension of time.

3. Mr.L.Manivasagam, learned counsel for the petitioner would contend that the entire amount is handed over to the respondent/complainant.

4. When the matter was came up for hearing, it is reported that the petitioner has returned back the entire amount to the defacto complainant. In view of the above compliance, the sentence imposed by the Additional District and Sessions

Judge, Palani, Dindigul in C.A.No.60 of 2017 dated 04.01.2018 by confirming the



judgment of the learned Judicial Magistrate (Fast Track Court), Palani in S.T.C.No.27 of 2013 dated 19.05.2017 is set aside. Accordingly, this Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

// True Copy //

/07/2024

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

tta  
TO

- 1.The Additional District and Sessions Judge,  
Palani.
- 2.The Judicial Magistrate (Fast Track Court )  
Palani.

+ 1 cc to Mr.T.Lenin Kumar , Advocate CA Sr.No.24916/2024



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ORDER DATED : 03/06/2024

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ORDER

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CRL MP(MD). No.455 of 2024

in

CRL MP(MD). No.8954 of 2023

in

CRL RC(MD) No.241 of 2018

Giving direction and etc.

as stated within.

MGJ(08.07.2024) 5P 4C

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