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Crl.O.P.No.7636 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.7636 of 2023

C.Muthuvel

....

Petitioner

Vs

K.Vaithiyalingam

....

Respondent

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the Principal District and Sessions Court at Chengalpattu to take the Criminal appeal filed in S.R.1773 of 2023 dated 17.03.2023 on file and number the same and decide the appeal on its own merits and in accordance with law.

For Petitioner : Mrs.G.Selvi George

For Respondent : No appearance

ORDER

This Criminal Original Petition has been filed to direct the Principal District and Sessions Judge, Chengalpattu to take the Criminal appeal filed in S.R.1773 of 2023 dated 17.03.2023 on file, number the same and decide the appeal on its own merits and in accordance with law.



Crl.O.P.No.7636 of 2023

WEB COPY

2. Heard the learned counsel appearing for the petitioner and perused the materials available on record. Though notice has been served on the respondent, none appeared on behalf of the respondent either in person or through pleader.

3. Pending this petition, the appeal filed by the petitioner has been taken on file by the Appellate Court. During the pendency of the appeal, the petitioner and the respondent entered into a compromise regarding the payment of entire cheque amount. Accordingly, the matter was compromised and the appeal was allowed. However, at the time of admission of filing of the quash petition in Crl.O.P.No.21188 of 2014, this Court directed the petitioner to deposit a sum of Rs.1,00,000/- to the credit of C.C.No.150 of 2014 on the file of the Judicial Magistrate, Fast Track Court, Alandur. At the time of settlement, the said deposit was not considered as part of the settlement. Therefore, the Trial Court is directed to refund the amount deposited by the petitioner by filing of an application by the petitioner in the manner known to law.



Crl.O.P.No.7636 of 2023

WEB COPY

4. With the above direction, this Criminal Original Petition stands disposed of.

05.02.2025

Lpp
Index: Yes/No
Internet: Yes/No

To

The Principal District and Sessions Court,
Chengalpattu



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CrI.O.P.No.7636 of 2023

G.K.ILANTHIRAIYAN,J.

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CrI.O.P.No.7636 of 2023

05.02.2025