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CRL OP No. 22510 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 22510 of 2025

1. D.Jugaram

S/o.Dallaram, Having Office at No.15,
Devaraja Mudaliyar Street, Flowr
Bazar, Chennai - 600 003. And
Residing at No.14, 2nd Street,
Vigneswara Nagar, Madipakkam,
Chennai - 600 098.

Petitioner(s)

Vs

1. R.Subramanian

Son of Ramadoss, Residing at
No.1/A,2, Elango Street, Thandeeswara
Nagar, Velachery, Chennai - 600 042.

Respondent(s)

PRAYER Criminal Original Petition filed under section 528 of BNSS to set aside the order of dismissal of petition seeking for extension of time dated 25.06.2025 passed by the Learned IV Additional District and Sessions Court Chennai in Crl.M.P.No.5471 of 2025 in the interest of justice.



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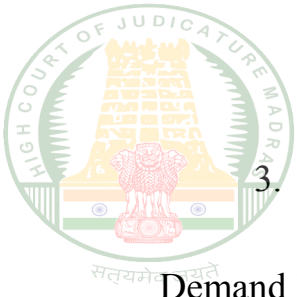


For Petitioner(s): Mr.C.Iyyapparaj,
for Mr.R.Manickam
Kritika Kamal.P

ORDER

Challenge has been made to the Order passed by the trial Court dismissing the application filed seeking extension of time for depositing the compensation amount Ordered while seeking compensation of sentence.

2. The trial Court while granting suspension of sentence to the petitioner has directed the petitioner to deposit a sum of Rs.5,00,000/- to the credit of C.C.No.4497 of 2016 within four weeks from the date of the Order. As the petitioner had not deposited the amount within the time fixed by the appellate Court, he has filed an application for extension of time for depositing the amount. The trial Court dismissed the application on the ground that the application has been filed beyond the period of three months from the date of the expiry of the time granted by the Court.



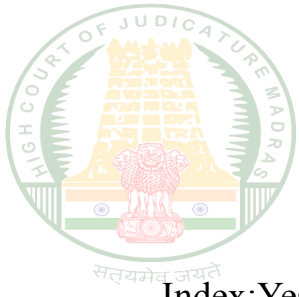
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3. The learned counsel appearing for the petitioner submitted that the Demand Draft has also been drawn and hence, time may be extended to deposit the amount Ordered by the appellate Court.

4. Considering the submissions of the learned counsel appearing for the petitioner, this Court is of the view that merely on the basis of technical aspects substantial right of appeal cannot be taken away.

5. Accordingly, this Criminal Original Petition is allowed and the Order of the Order in Crl.M.P.No.5471 of 2025 passed by the learned IV Additional District and Sessions Judge, Chennai is set aside and further time of one week, from the date of receipt of a copy of this Order, is granted to the petitioner, to deposit the amount Ordered by the appellate Court. On such deposit, the appellate Court shall suspend the sentence of the petitioner and if any warrant is issued for non payment of the compensation amount, the appellate Court shall recall the same, considering the further developments.

13-08-2025



Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The IV Additional District and Sessions Judge,
Chennai.
2. The III Fast Track Court,
Saidapet, Chennai.



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N.SATHISH KUMAR J.

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