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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Thirtieth day of April Two Thousand and Twenty Five

PRESENT

The HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CRL MP(MD). No.4849 of 2025
in
CRL RC(MD)No.1278 of 2023

Sritharan Swamiji

... Petitioner/Petitioner

Vs

R.Somasundram

... Respondent/Respondent

Prayer in CRL MP(MD)No.4849 of 2025.

This Criminal Miscellaneous Petition filed U/s.528 BNSS Praying to extent the time granted in CrI.M.P.(MD). No. 1660 of 2024 in CrI.M.P.(MD). No. 16349 of 2024 in CrI.R.C.(MD). No. 1278 of 2023 dt. 13.02.2024 to deposit 20 percentage of the money before the Learned Judicial Magistrate No.I,(Fast Track Court)Madurai.

Prayer in CRL RC(MD) No.1278 of 2023:-

This Criminal Revision Case, filed under section 397 r/w 401 of the Cr.P.C., praying this Court, to call for the records from the lower appellate Court and allowed the Revision Petition by setting aside the 1st condition of the order, imposed for suspension of sentence, to deposit 20 percentage of the compensation amount within a month, dated 6.10.2023 in Cr.MP No.5723 of 2023in the Cr. Appeal No.98 of 2023 on the file of the Principal Sessions and Distirct Judge, Madurai.

ORDER:- This Criminal Miscellaneous 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 M/s.S.Senthil Kumar, Advocate for the Petitioner, this Court made the following order:



ORDER

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Today, this case is listed under the caption 'for reporting compliance'.

2. It is evident from the records that the learned appellate Judge, while suspending the sentence, directed the petitioner to deposit 20% of the compensation amount before the Judicial Magistrate No.1, Fast Track Court at Magistrate Level, Madurai within a period of one month vide order dated 06.10.2023. Aggrieved by the said order, the petitioner preferred a revision before this Court in CrI.R.C.(MD)No.1278 of 2023 and this Court vide order dated 30.11.2023 while dismissing the revision directed the petitioner to deposit 20% of the compensation amount as directed by the learned appellate Judge within a period of four weeks from the date of receipt of a copy of that order. It is further evident from the records that the petitioner has subsequently filed an extension petition in CrI.M.P.(MD)No.1660 of 2024 and this Court vide order dated 13.02.2024 has extended time for two weeks from the date of receipt of a copy of that order. Again, the petitioner has moved another petition for extension in CrI.M.P.(MD)No.4905 of 2024 and this Court vide order dated 26.04.2024 while dismissing the said petition directed the trial Court to secure the accused and report the same before this Court on 07.06.2024. Thereafter, third extension petition has been filed.

3. When the matter was taken up on 15.04.2025, considering the submission made by the learned counsel appearing for the petitioner that the petitioner is having necessary funds to deposit the amount and sought time to comply with the direction of this Court and



believing the representation, this Court by allowing the petition has again directed the petitioner to comply with the direction of this Court on or before 28.04.2025 and posted the matter on 29.04.2025 for reporting compliance. When the matter was taken up on 29.04.2025, there was no representation for the petitioner.

4. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner would submit that the petitioner has not complied with the order of this Court. Hence, the learned Magistrate No.1, Fast Track Court at Magistrate Level, Madurai is directed to take necessary steps to secure the petitioner/ accused and to proceed in accordance with law.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2025

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

To

1. The Judicial Magistrate No.I,(Fast Track Court), Madurai.
2. The Principal Sessions and Distirct Judge, Madurai.
3. The Chief Judicial Magistrate, Madurai.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai.



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ORDER DATED : 30/04/2025

ORDER

CRL MP(MD). No.4849 of 2025
in
CRL RC(MD)No.1278 of 2023

TS (23/06/2025) 4P/5C

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