

28.06.2024

Complainant / S. Ganapathi is present by filing Hazira.

Sole accused / Sreedhar on interim bail is also present by filing Hazira and vide a petition prays for its extension inter alia on the plea that there is no adverse order as against him.

The aforesaid petition is duly perused, considered and stands allowed, under observation that since no adverse conduct at present is revealing against the accused, with a direction to extend the operation of the interim bail granted to the above accused by this Court as on 12.06.2024 till the next scheduled date.

Today was inter alia scheduled for making payment by accused in favour of the complainant.

At this stage, vide a petition from the accused side, permission is sought for to deposit a sum of Rs. 3,50,000/- with the Cash Section of this Court inter alia on the plea that the Counsel from the complainant side denied to accept the said sum and raised objection in open Court.

The aforesaid petition is duly perused in presence of the respective Learned Counsels representing both the parties herein and duly concerned.

The fact remains that the Learned Counsel representing the complainant namely Mr.Kannan express his intention on the part of his client present in open Court to refuse to accept the aforesaid sum of money from the accused side today inter alia on the plea that the accused was supposed to make a payment for Rs. 6,50,000/- as the 1st installment of the impugned cheque amount vide his given undertaking before this Court as on 31.01.2024.

I have considered the entire available materials on record and am of the considered view that it is true that the accused till date has not yet paid the said sum of money in favour of the complainant, but further considering the intention of the accused to make a payment of the aforesaid proposed sum of Rs. 3,50,000/- this day itself appears to this Court that the same would facilitate further expeditious disposal of the instant case instead of getting the same dragged further and also keeping in view the aspect that this Court is and has been monitoring the aspect of making aforesaid payment on the part of the accused in favour of the complainant from time to time.

In the light of the foregoing observations, the aforesaid petition filed from the accused side stands disposed of with a direction upon the accused to deposit the aforesaid proposed sum of Rs. 3,50,000/- with the Cash Section of this

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Court today and to file a receipt thereof with this Court preferably in the course of this day alongwith a further direction upon the accused to pay the balance sum of Rs. 3,00,000/- of the aforesaid 1st installment in respect of the impugned cheque amount on the next scheduled date, failing which necessary consequences shall follow.

The Cashier, Cash Section of this Court is accordingly directed to receive the money as is proposed to be deposited from the accused side upon following all due Codal norms and formalities and deposit the same under Refundable Head enabling the complainant side to withdraw the same upon following all due Codal norms and formalities in future.

The Bench Clerk of this Court is directed to inform the Learned defence Counsel to take immediate necessary steps to deposit the aforesaid proposed sum of money of Rs.3,50,000/-through appropriate Cash Challan with the above Section of this Court.

It is further made clear that further directions in respect of the balance payment of the impugned cheque amount shall follow on the next scheduled date.

Let a copy of the instant order be notified to the Cashier, Cash Section of this Court for necessary action and compliance.

Accused side be intimated at once.

Fix 09.07.2024 for making further payment by the accused / Sreedhar in favour of the complainant / S. Ganapathi to the tune of Rs. 3,00,000/- as the balance sum of the 1st installment towards the impugned cheque amount as per aforesaid directions and for passing further necessary orders.

Accused / Sreedhar to remain present positively on the aforesaid scheduled date without fail before this Court.

Complainant / S. Ganapathi also to remain present.

Bench Clerk to intimate the respective Learned Counsels for both parties.

Dictated and corrected by me

Judicial Magistrate,
Addl. Court, Port Blair.

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Addl. Court, Port Blair.