SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com

D.Baskar vs Banumathi

D.Baskar vs Banumathi

SooperKanoon Citation : sooperkanoon.com/1870286

Court : Chennai Orders

Decided On : Jul-01-2025

Judge : Honourable Mr Justice M. Nirmal Kumar

Appeal No. : CRL MP/7046/2025

Appellant : D.Baskar

Respondent : Banumathi

Judgement :

in

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR in D.Baskar ...Petitioner Vs.

1. Banumathi

2. Rathinavel

3. Dhinesh

4. The State Rep., by

Nellikuppam Police Station, Cuddalore District. ...Respondents PRAYER: This criminal miscellaneous petition has been filed under Section 528 of BNSS Act, to modify the order dated 12.09.2023 in Crl.O.P.No.20046 of 2023. For Petitioner(s): Mr.S.L.Venkatesan For Respondent(s): Mr.C.Baskaran Government Advocate (Crl. Side) Page No.1 of 4 in

ORDER

This petition has been filed by the defacto complainant seeking to modification in Crl.O.P.No.20046 of 2023 dated 12.09.2023.

2. The learned counsel appearing for the petitioner /complainant

submitted that, this Court vide order dated 12.09.2023 in Crl.O.P.No.20046 of 2023 directed the accused/ respondents (1 to 3) to deposit a sum of Rs.9,00,000/- (Rupees Nine Lakhs Only) to the credit of Crime No.312 of 2023 and this amount is due to the petitioner/complainant and the same is recorded in Crl.O.P.No.20046 of 2023 in order dated 18.04.2024.

3. The learned Government Advocate (Crl. Side) produced the order

regarding payment of Rs.9 lakhs by the accused/respondent Nos 1 to 3 by three demand drafts each. He further submitted that, he has no objection for returning the deposited amount to the defacto complainant.

4. Today, there is no representation for the accused /respondents (1 to 3). Page No.2 of 4 in

5. In view of the above, this Court directs the trial Court to

return the amount along with the accrued interest if any to the petitioner/complainant subject to the outcome of the Crime No.312 of 2023 on getting an undertaking affidavit and the petitioner/complainant shall abide by any order in future with regard to this amount.

6. With the above modifications, this Criminal Miscellaneous Petition is ordered. sma Page No.3 of 4 in

M.NIRMAL KUMAR, J.

sma To Avinashi Police Station, Tiruppur District. in Page No.4 of 4

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com