

**IN THE HIGH COURT OF KARNATAKA AT BANGALORE**

**DATED THIS THE 2<sup>ND</sup> DAY OF APRIL, 2007**

**BEFORE**

**THE HON'BLE MR.JUSTICE MOHAN SHANTANAGOUDAR**

**CRIMINAL PETITION NO.1164/2007**

**BETWEEN:**

G.Narasimha Murthy  
S/o.K.N.Guruswamy  
Aged 36 years  
M/s.Vasanth Kumar Wine Stores  
No.55/1  
Kenchappa Road  
Frazer Town  
Bangalore-5 .. PETITIONER

(By Sri H.Thimmappa & Associates, Advs.)

**AND:**

M/s.Maruthi Finance Enterprises  
(Regd.) by GPA Holder  
N.G.Mahesh  
S/o.Gurudevaru  
Aged 33 years  
C/o.No.27, Obaiah Lane, Akkipet  
Bangalore-53 .. RESPONDENT

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This CrI.P. is filed under Section 482 of Cr.P.C. by the advocate for the petitioner praying that this Hon'ble Court may be pleased to modify the quantum of the deposit fine amount ordered by the Sessions Judge, FTC-II, Bangalore in interim order dated



8.2.2007 in Crl.A.No.152/2007 as 25% instead of 50% till the disposal of the appeal.

This Crl.P. coming on for admission, this day the Court made the following:-

**ORDER**

Notice to respondent is dispensed with since the impugned order is passed without notice to them.

2. While suspending the sentence the Appellate Court has directed the petitioner to deposit 50% of the fine amount within twenty days. Other conditions are also imposed by the Appellate Court.

3. Learned advocate appearing for the petitioner submits that because of financial hardship, the petitioner could not deposit 50% of the fine amount as directed by the Appellate Court. Hence, he prays for leniency.

4. Having regard to the totality of the facts and circumstances of the case, in my considered opinion, interest of justice will be met if the petitioner is directed to deposit



Rs.1,00,000/- (Rupees one lakh only) within four weeks from today. Other conditions imposed by the Fast Track Court-II shall stand. It is made clear that if the amount of Rs.1,00,000/- is not deposited within **four weeks** from today, the order of suspension granted by the Fast Track Court-II vacates automatically without any further orders.

With the said modification in the impugned order, petition is ***disposed of***.

Sd/-  
Judge

\*ck/-