

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-09-2015

Coram

THE HON'BLE MR. JUSTICE B. RAJENDRAN

Criminal Revision Case No. 897 of 2015

A.Vellai Thevan

.. Petitioner

Versus

R.Mahendran

... Respondent

Criminal Revision Case filed under Section 397 read with 401 of Cr.P.C. against the order made in Cr.M.P.No.1835 of 2015 in C.A.No.31 of 2015 on the file of the Principal District and Sessions Judge, Vellore, dated 20.07.2015.

For Petitioner : Mr.V.Rameshvel

ORDER

The petitioner/accused stood charged for the offence under Section 138 of Negotiable Instruments Act. After trial in C.C.No.131 of 2012, by judgment dated 23.04.2015, the petitioner was convicted for the offence under Section 138 of Negotiable Instruments Act and sentenced to undergo six months simple imprisonment and also to pay a compensation of Rs.7,00,000/- to the complainant, in default to undergo further imprisonment for three months. Against which, an appeal was preferred in Crl.A.No.31 of 2015 before the Principal Sessions Judge, Vellore. Pending appeal, the petitioner has filed Cr.M.P.No. 1835 of 2015 and sought for suspension of sentence. The Appellate Court, by order dated 20.07.2015 granted suspension pending disposal of the appeal, however with a stringent condition directing the petitioner to deposit one-fourth of the compensation amount before the Trial Court. Aggrieved against the same, this Criminal Revision Case is filed.

2. Though, initially, Mr.Rameshvel, learned counsel for the petitioner argued the matter on merits, thereafter, he confined his argument to the effect that the petitioner is prepared to deposit one-fourth of the compensation amount before the Trial Court, but, he only seeks some time to deposit the amount.

3. Heard the learned counsel for the petitioner. By his consent, the main Criminal Revision Case itself is taken up for final disposal at the stage of admission itself.

4. This Court taking into consideration of the fact that the petitioner/ accused is prepared to deposit the compensation amount as directed by the Appellate Court while granting suspension on 20.07.2015, but, he only seeks some time to deposit one-fourth of the compensation amount, the petitioner is granted three weeks time from the date of receipt of a copy of this order to deposit one-fourth of the compensation amount to the credit of C.C.No.131 of 2012 on the file of the Judicial Magistrate No.I, Thirupattur, failing which, the suspension granted by the Appellate Court shall stand revoked. Except the time granted for depositing the amount before the Trial Court, in all other respects the order of the Appellate Court dated 20.07.2015 stands confirmed. This Criminal Revision Case is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

The Principal District and Sessions Judge,
Vellore.

+1 cc to Mr.V.Rameshvel Advocate sr.48585

Crl.R.C.No.897 of 2015

WEB COPY

aa05/10/2015