

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2473 OF 2015

ORDER:

The petitioner filed the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved by the process of adjudication adopted by the II Additional District & Sessions Judge, Nalgonda at Suryapet, without admitting the criminal Appeal and adjourning the CrI.M.P. No.90 of 2015.

Heard and perused the material available on record.

The case of the petitioner is that he was convicted for the offence punishable under Section 138 of the Negotiable Instruments Act and was sentenced to undergo simple imprisonment till raising of the Court and to pay a fine of Rs.2,50,000/- with default sentence of six months simple imprisonment by the Judicial Magistrate of First Class, Kodad. Aggrieved over the same, the petitioner preferred CrI.A. No.134 of 2015 before the II Additional District & Sessions Judge, Nalgonda, along with an application to suspend the sentence imposed by the trial Court. The learned Sessions Judge, instead of admitting the appeal and suspending the sentence, ordered notice to the de facto complainant. Subsequently, the complainant has also entered appearance. Even after complainant's appearance also, the Sessions Judge is adjourning the matter without passing any orders. Hence, the present revision is filed.

Having regard to the facts and circumstances of the case, without expressing any opinion on the merits of the case, this Criminal Revision Case is disposed of with the following directions:

The sentence of fine amount imposed by the Judicial Magistrate of First Class, Kodad, against the petitioner is suspended till disposal of CrI.A. No.134 of 2015, on petitioner executing a personal bond for Rs.10,000/- (Rupees ten thousand only)

with one surety for the like sum to the satisfaction of the II Additional District & Sessions Judge, Nalgonda at Suryapet, for his future appearance before the appellate Court. Further, the appellate Court is directed to hear the appeal and pass appropriate orders, in accordance with law.

Miscellaneous petitions filed in this revision, if any, shall stand closed.

RAJA ELANGO, J

October 28, 2015

KTL

