

HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5667 of 2015

ORDER:

The petitioner-accused filed this petition under Section 482 Cr.P.C. seeking to relax the conditions imposed by the learned IV Additional District & Sessions Judge, Ranga Reddy District in Crl.M.P.No.278 of 2015 in Crl.A.P.No.384 of 2015 vide order dated 21.5.2015.

Heard and perused the material available on record.

The petitioner was convicted by the Special Judicial Magistrate Court-II, Rajendra Nagar, Ranga Reddy District, for the offence under Section 138 of the Negotiable Instruments Act in C.C.No.84 of 2014 vide judgment dated 27.4.2015 and sentenced to suffer rigorous imprisonment for a period of one year and to pay an amount of Rs.10,00,000/- to the complainant in two instalments within two months from the date of judgment. Challenging the same, the petitioner filed appeal. Along with the appeal, he filed the above Crl.M.P. for suspension of sentence. The lower appellate Court suspended the sentence on condition of the petitioner depositing 1/4th of the compensation amount within 15 days and on the same terms and conditions as imposed by the trial Court while suspending the operation of judgment till the filing of the appeal. Now, the petitioner approached this Court to relax those conditions.

Considering the facts and circumstances of the case, this Court is inclined to relax the condition of deposit of 1/4th of the compensation alone.

Accordingly, the condition imposed in the order under challenge i.e., deposit of 1/4th of the compensation alone is relaxed. Rest of the

conditions imposed by the lower appellate Court in the order under challenge shall stand unaltered.

The Criminal Petition is allowed accordingly.

Dated 1.7.2015
Elango
Nn

Justice Raja

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