

HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.3236 of 2015

ORDER:

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1. This Criminal Revision Case is filed by the petitioner-accused aggrieved by the order dated 18.12.2015 passed in CrI.M.P.No.163 of 2015 in CrI.A.No.415 of 2015 by the V Additional Sessions Judge, Tirupati.

2. The petitioner was convicted and sentenced to undergo simple imprisonment for a period of one year and to pay a fine of Rs.5,000/- in default to suffer simple imprisonment for a period of three months for the offence punishable under Sections 138 r/w 142 of the Negotiable Instruments Act by the learned V Additional Judicial Magistrate of First Class, Tirupati, in C.C.No.296 of 2015, vide judgment dated 6.11.2015. Aggrieved by the same, the petitioner filed the above Criminal Appeal before the learned V Additional Sessions Judge, Tirupati. Along with the appeal, the petitioner filed the above CrI.M.P. seeking suspension of the sentence imposed by the trial Court. The learned Additional Sessions Judge while suspending the sentence of imprisonment pending disposal of the Criminal Appeal, on the same terms and conditions imposed by the trial Court, imposed another condition directing the petitioner-accused to deposit a sum of Rs.50,000/- before the trial Court on or before 31.12.2015. It was also observed that if the petitioner fails to comply with the condition of deposit of Rs.50,000/- within the time stipulated, the above CrI.M.P. shall stand dismissed. Aggrieved by the same, the petitioner filed this revision.

3. Heard and perused the material available on record.

4. Considering the facts and circumstances of the case, this Court

is inclined to pass the following order:

The condition imposed by the learned V Additional Sessions Judge, Tirupati, in Crl.M.P.No.163 of 2015 in Crl.A.No.415 of 2015 i.e., “the petitioner/appellant/accused shall deposit a sum of Rs.50,000/- before the trial Court on or before 31.12.2015, failing which, the petition shall stand dismissed”, is suspended. Rest of the order under revision shall remain. The learned V Additional Sessions Judge, Tirupati is directed to dispose of the appeal as expeditiously as possible.”

5. Accordingly, the Criminal Revision Case is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 31st December, 2015

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THE HONOURABLE SRI JUSTICE RAJA ELANGO

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31.12.2015

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