

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.3283 OF 2015

ORDER:

This Criminal Revision Case is filed by the petitioner, under Sections 397 and 401 of the Code of Criminal Procedure, seeking to relax the condition imposed in CrI.A.M.P.170 of 2015 in CrI.A. No.424 of 2015 vide order, dated 16.12.2015, by the V Additional Sessions Judge, Tirupati, whereby the learned Sessions Judge imposed a condition directing the petitioner to deposit a sum of Rs.50,000/- before the trial Court, while suspending the sentence imposed by the trial Court vide order, dated 24.11.2015, in C.C. No.343 of 2014.

Heard and perused the material available on record.

Petitioner is accused in CC No.343 of 2014 for the offence punishable under Section 138 r/w.142 of the Negotiable Instruments Act. After due trial, the trial Court convicted him for the said offence and imposed sentence of simple imprisonment for a period of one year and to pay fine of Rs.5,000/-, in default to suffer simple imprisonment for a period of one month. Against the said order, the petitioner filed CrI.A. No.424 of 2015 and he also filed CrI.A.M.P. No.170 of 2015 to suspend the sentence of imprisonment imposed against him by the trial Court. While suspending the sentence, the appellate Court passed conditional order, directing the petitioner to deposit a sum of Rs.50,000/- before the trial Court on or before 30.12.2015. Aggrieved by the same, the present revision is filed.

Considering the arguments of both the learned counsel, and also in view of the fact that the main appeal is pending before the lower appellate Court with regard to sentence of imprisonment, this Court is inclined to pass the following order:

“The condition imposed by the appellate Court directing the petitioner to deposit a sum of Rs.50,000/- before the trial Court, is suspended till disposal of the criminal appeal and the petitioner is

directed to execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum to the satisfaction of the appellate Court for his future appearance before the appellate Court.”

With the above modification, the Criminal Revision Case is disposed of. Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

December 30, 2015.

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