

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.2210 of 2014

JUDGMENT

This revision is directed against the order dated 22.08.2014 passed in CrI.M.P.No.474 of 2014 in S.C.No.40 of 2014 by the learned Special Judge for Trial of Cases under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. The petitioner, who stood as surety for the accused in S.C.No.40 of 2014, was served with a notice to produce the accused. As she did not produce the accused, the trial Court levied penalty of Rs.25,000/- on her and in default of payment of such penalty, she shall suffer simple imprisonment for a period of one year. Aggrieved by the same, she filed the present revision.

3. Learned counsel for the petitioner submits that the petitioner is an innocent tribal woman and she does not know the consequences of execution of bond and that the trial Court without affording an opportunity for forfeiting her bail bonds imposed the penalty on her. He further submits that the petitioner has already suffered two months imprisonment.

4. Since the petitioner failed to pay the penalty amount levied by the trial Court, she was sent to jail and later, she was enlarged on bail on 07.11.2014. Considering the facts and circumstances of the case, this Court is inclined to modify the order of the trial Court reducing the penalty from Rs.25,000/- to Rs.10,000/- in default to undergo simple imprisonment for a period of one month.

Accordingly, the order impugned is modified.

5. The Criminal Revision Case is, accordingly, disposed of. Miscellaneous Petitions, if any, pending in this revision, shall stand closed.

RAJA ELANGO, J

23rd June, 2015

sj