

Crl.M.P.No.10289 of 2016
in
Crl.R.C.No.1164 of 2016

G.CHOCKALINGAM, J.,

The petitioner, who was convicted and sentenced to undergo simple imprisonment for six months and to pay a compensation for a sum of Rs.1,14,000/-, under Section 138 of Negotiable Instruments Act, by the learned Judicial Magistrate (Fast Track Court), Tiruchengode, in S.T.C.No.294 of 2012, dated 26.06.2014, the same was confirmed by the learned Principal Sessions Judge, Namakkal, in Crl. Appeal No.54 of 2014, dated 19.07.2016, has come forward with petition seeking the relief of suspension of sentence, pending revision.

2.The learned counsel appearing for the petitioner would submit that the petitioner is ready to deposit 50% of the cheque amount and he has also made an endorsement to that effect in the main revision petition and hence, the learned counsel prays for suspending the sentence.

3. Heard the learned counsel appearing for the petitioner/accused.

4. Considering the grounds raised in the memorandum of grounds of criminal revision and also considering the submission made by the learned counsel for the petitioner, this Court is inclined to suspend the substantive sentence of imprisonment alone, pending revision, with the following conditions :-

(i) The petitioner is directed to deposit 50% of the cheque amount to the credit of S.T.C.No.294 of 2012, on the file of the learned Judicial Magistrate (Fast Track Court), Tiruchengode, on or before 06.10.2016, failing which, the petition shall stand automatically dismissed without any further reference to this Court.

(ii) On such deposit, the petitioner shall be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Fast Track Court, Tiruchengode, and

(iii) on further condition that the petitioner shall report before the said Court on the first working day of every month at 10.30 a.m., until further orders.

5. It is made clear that the substantive sentence of imprisonment will be suspended only from the date of deposit of 50% of the cheque amount to the credit of S.T.C.No.294 of 2012 on the file of learned Judicial Magistrate, Fast Track Court, Tiruchengode.

Call on 07.10.2016.

29.09.2016

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Note to Office:

Issue order copy on 29.09.2016

G.CHOCKALINGAM, J.

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