

CrI.M.P.No.10327 of 2016

in

CrI.R.C.No.1167 of 2016

G.CHOCKALINGAM, J.,

The petitioner, who was convicted and sentenced to undergo rigorous imprisonment for two years and to pay a compensation of Rs.26,28,144/-, under Section 138 of Negotiable Instruments Act, by the learned III Additional District and Sessions Judge, Chennai, in C.A.No.218 of 2014, dated 31.08.2016, the same was confirmed by the learned Metropolitan Magistrate (Fast Track Court No.4), G.T, Chennai in C.C.No.222 of 2013, dated 14.08.2014, 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 C.C.No.222 of 2014, on the file of learned the learned Metropolitan Magistrate (Fast Track Court No.4), G.T, Chennai, on or before 29.11.2016, 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 Metropolitan Magistrate (Fast Track Court No.4)
G.T.Chennai, 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 C.C.No.222 of 2014 pending on
the file of the learned Metropolitan Magistrate (Fast Track Court
No.4), G.T, Chennai,

Call on 30.11.2016.

29.09.2016

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Note to Office:

Issue order copy on 29.09.2016

G.CHOCKALINGAM, J.

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29.09.2016