

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2016

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.Nos.513 and 514 of 2015

B.Shobana
D/o.Basker

... Petitioner in both revisions

vs.

K.Premavathi
W/o.Kodaivendan

...Respondent in Crl.R.C.No.513/2015

E.Adhikesavan
S/o.Ethirajulu

... Respondent in Crl.R.C.No.514/2015

Criminal Revisions filed under section 397 & 401 of the Code of Criminal Procedure, against the orders of learned Principal Sessions Judge, Tiruvallur, passed in (i) Crl.M.P.No.847 of 2015 in Crl.A.No.22 of 2015 on 24.03.2015 and (ii) Crl.M.P.No.849 of 2015 in Crl.A.No.24 of 2015 on 24.03.2015.

For Petitioner : Mr.R.Muniyapparaj
for Mr.T.K.Ashok Kumar

For Respondent : Mr.M.Ravi Bharathi
in Crl.R.C.No.513/15

Mr.A. Murali in Crl.R.C.No.513/15

O R D E R

These revisions arise against the orders of learned Principal Sessions Judge, Tiruvallur, passed in (i) Crl.M.P.No.847 of 2015 in Crl.A.No.22 of 2015 and (ii) Crl.M.P.No.849 of 2015 in Crl.A.No.24 of 2015 on 24.03.2015.

2. Petitioner faced trial for offence u/s.138 of the Negotiable Instruments Act in S.T.C.Nos.171 and 230 of 2014 on the file of learned Judicial Magistrate, Fast Track Court, Magisterial Level, Ambattur. Trial Court, under judgments dated 24.03.2015, convicted the petitioner and sentenced her to 6 months S.I. and directed to pay compensation in a sum of Rs.10,00,000/- to the complainant in each case. There against, petitioner moved C.A.Nos.22 and 24 of 2015 on the file of learned Principal Sessions Judge, Tiruvallur. Pending such

appeals, petitioner filed Crl.M.P.Nos.847 and 849 of 2015 seeking suspension of sentence. Appellate Court, under orders dated 24.03.2015, granted the relief of suspension of sentence subject to certain conditions. One of the conditions imposed was that the petitioner deposit Rs.1,50,000/- in each case. Seeking modification of such condition, these revisions has been filed.

3. Learned counsel for petitioner pleads the inability of petitioner to effect payment informing that she is a divorcee who takes care of her child suffering from serious disease.

4. Heard learned counsel for respondents.

5. Considering the submissions made, this Court modifies the condition requiring the petitioner to deposit a sum of Rs.1,50,000/- in each case to one of Rs.1,00,000/- in each case. Such deposit shall be made within a period of four weeks from the date of receipt of this order. Appellate Court viz., learned Principal Sessions Judge, Tiruvallur, is directed to dispose of C.A.Nos.22 and 24 of 2015 within a period of three months from the date of receipt of this order.

These Criminal Revisions are disposed of with the above direction.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gm

To

The Principal Sessions Judge,
Tiruvallur.

+ 2 ccs to Mr.T.K. Ashok Kumar, Advocate SR.3269 3270
+ 1 cc to MR.I. Jesu, Advocate Sr.3397
+ 1 cc to MR.A. Murali, Advocate sR.3411

Crl.R.C.No.513 and 514 of 2015

VGI(CO)
EU 11.02.16