



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Seventeenth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL MP(MD) No.11257 of 2016
IN
CRL RC(MD) No.786 of 2016

THENDRAL RANI

... PETITIONER/PETITIONER

Vs

KALAVATHI,

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to enlarge the petitioner on bail by suspending the sentence imposed in CA NO. 49 of 2013 by the Principal Sessions Judge, Dindigul dated 21.07.2016 confirming the Judgment of conviction and sentence made in STC NO. 30 of 2012 by the Fast Track Court (Judicial Magistrate), Palani dated 06.07.2013 and thus render justice.

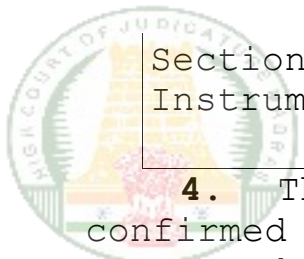
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.T.LENIN KUMAR, Advocate for the petitioner and Respondent not appeared in person or by an Advocate while admitting the Criminal Revision Petition the court made the following order:-

The petitioner challenges the legality and propriety of the conviction and sentence recorded by the Trial Court as well as by the Appellate Court.

2. The revision petitioner is an accused in S.TC.No.30 of 2012, on the file of the Fast Track Court (Judicial Magistrate), Palani.

3. In the said Court, the petitioner has been convicted and sentenced as under:

Conviction	Sentence
------------	----------



Section 138 of Negotiable Instruments Act	2 Months S.I., and Rs.2,00,000/- as compensation.
---	---

4. The learned Additional Sessions Judge, Dindigul, confirmed the conviction and sentence imposed by the trial Court and dismissed the Criminal Appeal No.49 of 2013.

5. The learned counsel for the petitioner submitted that there are very many legal infirmities in the conviction recorded by the Trial Court and by the Appellate Court and they are required to be revised. There is *prima facie* case in favour of the petitioner.

6. I have anxiously considered the submissions of the learned counsel for the petitioner, perused the averments in the bail petition, impugned Judgment and the relevant evidence on record.

7. Perusing the impugned judgments and the materials on record, I am of the view that certain eminently arguable points are involved in this criminal revision. They are required to be examined in detail in the main criminal revision. It will take some time for the disposal of this criminal revision. I see *prima facie* case. I am inclined to grant revision bail to the petitioner, till the disposal of the Revision.

8. In view of the foregoing, ordered as under:

- (i) Revision bail granted, on condition that the petitioner shall deposit Rs.1,00,000/- before the trial Court on or before 14.12.2016.
- (ii) Sentence of imprisonment ordered by the Trial Court and confirmed by the lower Appellate Court alone is suspended, only on compliance of the conditional order of deposit.
- (iii) There shall be two sureties and they shall execute a bond for Rs.15,000/- (Rupees fifteen thousand only) each to the satisfaction of the Fast Track Court (Judicial Magistrate), Palani.
- (iv) The petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m., until further orders.

sd/-
17/11/2016

/ TRUE COPY /



mpk
TO

- 1 THE PRINCIPAL SESSIONS JUDGE, DINDIGUL
- 2 THE JUDGE THE FAST TRACK COURT ((JUDICIAL MAGISTRATE)
PALANI
- 3 THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT

+1. C.C. to M/S.T.LENIN KUMAR Advocate SR.No.69999

GJM/SS3/SAR-3-17.11.16-2p-5C

ORDER
IN
CRL MP (MD) No.11257 of 2016
IN
CRL RC (MD) No.786 of 2016
Date :17/11/2016 (2/2)