



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

Wednesday, the Eighth day of June Two Thousand Sixteen

PRESENT

The Hon`ble Dr.Justice P.DEVADASS

CRL MP(MD) No.4380 of 2016

IN

CRL RC(MD) No.345 of 2016

B. POONGOTHAI

... PETITIONER/REVISION PETITIONER/ACCUSED

Vs

K.KARUPPASAMY

... RESPONDENT/RESPONDENT/COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the operation of the sentence imposed upon the Petitioner / Revision Petitioner/ Accused by the Judicial Magistrate No. 2 Kulithalai in Calender Case No. 114 of 2005 dated 11.09.2014 and modified by the Mahalir Neethi Mandram (fast Track Mahila Court) Karur in Criminal Appeal No. 40 of 2014 dated 09.02.2016 till the disposal of the Criminal Revision case.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S K.SURESH, Advocate for the petitioner and court made the following order:-

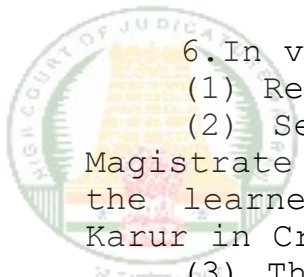
The revision petitioner challenges the legality and propriety of the conviction and sentence recorded by the trial Court as well as the appellate Court.

2.The revision petitioner is the accused in a cheque bouncing case in C.C.No.114 of 2005. The learned Judicial Magistrate No.II, Kulithalai convicted and sentenced him to 3 months S.I.

3.The learned Additional Sessions Judge, Mahila Fast Track Court, Karur confirmed the conviction but modified the sentence to 1 month S.I. in Criminal Appeal No.40 of 2014. He has paid the fine amount.

4.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.

5.In the facts and circumstances, 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 at the main criminal revision. It will take some time for the disposal of this Criminal revision. Further, the petitioner was on bail in the trial Court. I see prima facie case. I am inclined to grant revision bail to the



6. In view of the above, ordered as under:

(1) Revision bail granted.

(2) Sentence of imprisonment awarded by the learned Judicial Magistrate No.II, Kulithalai in C.C.No.114 of 2005 as modified by the learned Additional Sessions Judge, Fast Track Mahila Court, Karur in Crl.A.No.40 of 2014 alone is suspended.

(3) There shall be two sureties, they and the petitioner shall execute a bond for Rs.10,000/- (Rupees Ten thousand only) each to the satisfaction of the learned Judicial Magistrate No.II, Kulithalai.

(4) The petitioner shall appear before the said Magistrate's Court on the first working day of every month at 10.30 a.m. until further orders.

sd/-

08/06/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE ADDITIONAL SESSION JUDGE, FAST TRACK MAHILA COURT, KARUR.

2 -DO- THRO THE PRINCIPAL SESSION JUDGE, KARUR.

3 THE JUDICIAL MAGISTRATE NO.II, KULITHALAI

4 THE CHIEF JUDICIAL MAGISTRATE, KARUR.

+1. C.C. to M/S K.SURESH Advocate SR.No.28945

sj

JA/AAL-MPA/SAR.I/09.6.2016/2P-6C

ORDER

IN

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IN

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Date : 08/06/2016