



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

Wednesday, the Fifteenth day of June Two Thousand Sixteen

PRESENT

The Hon`ble Dr.Justice P.DEVADASS

CRL MP(MD) No.4677 of 2016
IN
CRL RC(MD) No.392 of 2016

1 P. MURUGESAN
2 M. RAVI

... PETITIONERS

Vs

V. MURUGAPPAN

... RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to SUSPEND THE SENTENCE made in S.T.C.No. 266 of 2012 on the file of the Judicial Magistrate, Fast Track Court, Magisterial Level, Karur dated 24.04.2015 as confirmed by the Judgment in C.A.No. 80 of 2015 dated 18.02.2016 on the file of the Sessions Judge, Mahila Fast Track Court, Karur pending disposal of the above Crl.R.C.

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

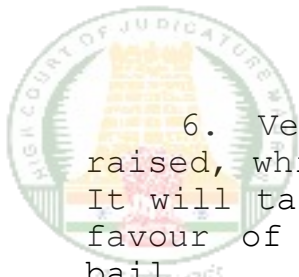
The petitioners challenge the legality and propriety of the conviction and sentence recorded by the Trial Court as well as by the Appellate Court.

2. The revision petitioners are the accused in a cheque bouncing case in S.T.C.No.266 of 2012, on the file of the learned Judicial Magistrate, Fast Track Court, Magisterial Level, Karur.

3. The petitioners have been convicted under Section 138 N.I.Act, sentenced to 5 months S.I., and each fined Rs.1,500/-, I/D., fifteen days S.I.

4. The learned Sessions Judge, Fast Track Mahila Court, Karur, allowed the C.A.No.80 of 2015 in part; confirmed the conviction and modified the sentence to 3 months S.I.

5. The learned counsel for the petitioners 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 a prima facie case in favour of the petitioners.



6. Very many legal aspects and technical issues have been raised, which are required to be examined in detail in the revision. It will take sometime for its disposal. I find prima facie case in favour of the petitioners. I am inclined to grant him revision bail.

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

- (i) Revision bail granted.
- (ii) Sentence of imprisonment ordered by the Trial Court and modified by the Appellate Court alone is suspended.
- (iii) There shall be two sureties, they and each of the petitioners shall execute a bond for Rs.10,000/- (Rupees ten thousand only) each to the satisfaction of the learned Judicial Magistrate, Fast Track Court, Magisterial Level, Karur.
- (iv) The petitioners shall appear before the said Court on the first working day of every month at 10.30 a.m. until further orders.

sd/-
15/06/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE SESSIONS JUDGE, FAST TRACK MAHILA COURT, KARUR.
- 2 THE JUDICIAL MAGISTRATE, FAST TRACK COURT AT MAGISTERIAL LEVEL, KARUR.
- 3 DO THRO' THE CHIEF JUDICIAL MAGISTRATE, KARUR.
- 4 THE GOVERNMENT ADVOCATE (CRIMINAL SIDE),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to Mr.S.Vijayakumar, Advocate, Sr.No.30733

ORDER
IN
CRL MP(MD) No.4677 of 2016
IN
CRL RC(MD) No.392 of 2016
Date :15/06/2016

JM/GSV-PM/SAR-II/16.06.2016/2P-6C