



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

Tuesday, the Twenty First day of June Two Thousand Sixteen

PRESENT

The Hon`ble Dr.Justice P.DEVADASS

CRL MP(MD) No.4926 of 2016
IN
CRL RC(MD) No.415 of 2016

LOGA SRIDHARA PANDIAN ... PETITIONER/APPELLANT/SOLE ACCUSED

Vs

CHANDRA ... 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 execution of sentence imposed in Crl.A.No. 10 of 2014 on the file of Learned Additional District and Session Judge No. V, Madurai in confirming the judgment passed by the Learned Judicial Magistrate, Melur in S.T.C. No. 864 of 2008 dated 06.06.2008 pending disposal of main revision petition

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S R.MARIAPPAN, Advocate for the petitioner and while admitting the Criminal Revision Petition the court made the following order:-

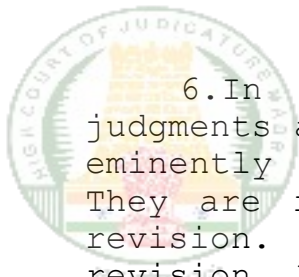
The revision petitioner challenges the legality and propriety of the conviction and sentence recorded by the trial Court as well as the appellate Court.

2.The revision petitioner is the accused in a cheque bouncing case in S.T.C.No.864 of 2008.

3.The learned Judicial Magistrate, Melur convicted the petitioner and sentenced him to undergo 1 year S.I. and to pay a fine of Rs.5,000/- with default sentence.

4.The learned V Additional Sessions Judge, Madurai confirmed the conviction but modified the sentence to imprisonment till the raising of Court and directed to pay a compensation of Rs.1,50,000/- to the complainant i/d 3 months R.I.

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.



6. 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 petitioner.

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

(1) Revision bail granted.

(2) Modified Sentence of imprisonment awarded by the learned V Additional Sessions Judge, Madurai in Crl.A.No.10 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, Melur.

(4) There shall be stay of the operation of the order directing payment of compensation under Section 357(3) Cr.P.C.

(5) Within 4 weeks from the date of receipt of a copy of this order, the petitioner/appellant shall deposit Rs.25,000/- to the credit of S.T.C.No.864 of 2008 on the file of learned Judicial Magistrate, Melur.

(6) The said sum of Rs.25,000/- shall be deposited in a nationalized bank in Melur initially for a period of one year with renewable clause.

(7) The dispersal of the said amount and the accrued interest thereon shall be decided in the main revision.

(8) 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/-

21/06/2016

/ TRUE COPY /

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

TO

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE V, MADURAI

2 THE PRINCIPAL SESSIONS JUDGE, MADURAI

3 THE JUDICIAL MAGISTRATE, MELUR

4 THE CHIEF JUDICIAL MAGISTRATE, MADURAI

+1. C.C. to M/S R.MARIAPPAN Advocate SR.No.31979

ORDER IN

CRL MP(MD) No.4926 of 2016 IN

CRL RC(MD) No.415 of 2016

Date : 21/06/2016

AA/NGM-MP/SAR-III/22.06.2016/2p-6c