



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

Friday, the Twenty Fourth day of June Two Thousand Sixteen

PRESENT

The Hon`ble Dr.Justice P.DEVADASS

CRL MP(MD) No.5107 of 2016  
IN  
CRL RC(MD) No.438 of 2016

N.SRINIVASAN

... PETITIONER/PETITIONER

Vs

P.R.RAJA

... RESPONDENT/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 imposed on the petitioner by the judgement dated 4.2.2015 in C.C. No.27 of 2014 on the file of the Judicial Magistrate Fast Track Court, Thanjavur Confirmed in C.A.No.14 of 2015 on the file of the II Additional District Sessions Court Thanjavur dated 25.2.2016 and grant bail to the petitioner pending disposal of this Criminal 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 T.A.EBENEZER, Advocate for the petitioner and the court made the following order:-

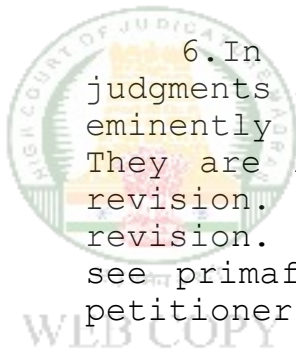
The revision petitioner challenges the legality and propriety of the conviction and sentence recorded by the trial Court as well as the appellate Court.

2.The revision petitioner is the accused in a cheque bouncing case in C.C.No.27 of 2014.

3.The learned Judicial Magistrate, Fast Track Court, Thanjavur convicted the petitioner and sentenced him to undergo 1 year S.I. and to pay a compensation of Rs.5,00,000/- to the complainant i/d 3 months S.I.

4.The learned II Additional Sessions Judge, Thanjavur confirmed the conviction and sentence and dismissed the Criminal Appeal No.14 of 2015.

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) Sentence of imprisonment awarded by the learned Judicial Magistrate, Fast Track Court, Thanjavur in C.C.No.27 of 2014 as confirmed by the learned II Additional Sessions Judge, Thanjavur in Crl.A.No.14 of 2015 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, Fast Track Court, Thanjavur.

(4) There shall be stay of the operation of the order directing payment of compensation under Section 357(3) Cr.P.C. (5) Within 3 weeks from the date of receipt of a copy of this order, the petitioner shall deposit Rs.1,50,000/- to the credit of C.C.No.27 of 2014 on the file of learned Judicial Magistrate, Fast Track Court, Thanjavur.

(6) The said sum of Rs.1,50,000/- shall be deposited in a nationalized bank in Thanjavur 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/-

24/06/2016

/ TRUE COPY /

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

TO

- 1 THE II ADDITIONAL DISTRICT SESSIONS JUDGE, THANJAVUR.
- 2 THE JUDICIAL MAGISTRATE FAST TRACK COURT, THANJAVUR.

+1. C.C. to M/S T.A.EBENEZER, Advocate SR.No.33123

ORDER

IN

CRL MP(MD) No.5107 of 2016

IN

CRL RC(MD) No.438 of 2016

Date : 24/06/2016