



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

Wednesday, the Twenty Ninth day of June Two Thousand Sixteen
PRESENT

The Hon`ble Dr.Justice P.DEVADASS

CRL MP(MD) No.5186 of 2016

IN

CRL RC(MD) No.449 of 2016

WEB COPY

1 M/S.DEE YES DYE-CHEM
REPRESENTED BY P.R.SEKAR,
NO. 41, SENGUNTHAPURAM 3RD CROSS,
KARUR.

2 P.R.SEKAR
3 RAMASAMY

... PETITIONERS/PETITIONERS

Vs

GUNASEKARAN

... 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 of imprisonment and sentence imposed by the learned Sessions Judge/ Mahalir Neethimandram (Fast Track Mahila Court) Karur in Crl.A.No.7 of 2012 by the Judgment dated 26.02.2016, modifying the judgment passed by the learned Judicial Magistrate, Fast Track Court at Magisterial Level, Karur in S.T.C.No. 149 of 2011 by the Judgment dated 30.12.2011 pending disposal of the Criminal Revision.

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

A1 to A3, in S.T.C.No.149 of 2011, on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Karur, while challenging their conviction and sentence, seek revision bail under Section 397(1) Cr.P.C.

2. In the said Court, they were convicted and sentenced as detailed below:

- (i) A1 firm was found guilty under Sections 138 and 142 N.I.Act and fined Rs.3000/-.
- (ii) A2 and A3 were found guilty under Sections 138 and 142 N.I.Act and each of them were sentenced to 3 months S.I., and each is fined Rs.3000/-, i/d 1 month S.I.

3. Fine amounts were paid.

4. The learned Sessions Judge, Fast Track Mahila Court, Karur, allowed the C.A.No.7 of 2012 in part; confirmed the conviction, maintained the fine, however reduced the sentence of imprisonment to 1 month S.I.



5. It is seen that since A1 is a firm, it has been only fined. 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 in the main criminal revision. It will take some time for the disposal of this criminal revision. Further, the petitioners 2 and 3 were on bail in the Trial Court. I see prima facie case. I am inclined to grant revision bail to them.

6. Ordered as under:

- (i) Revision bail granted to petitioners 2 and 3.
- (ii) Their Sentence of imprisonment alone is suspended.
- (iii) There shall be two sureties for each of the petitioners 2 and 3, they and each petitioner shall execute a bond for Rs.15,000/- (Rupees fifteen thousand only) each to the satisfaction of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Karur.
- (iv) The petitioners 2 and 3 shall appear before the said Court on the first working day of every month at 10.30 a.m., until further orders.

sd/-

29/06/2016

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

TO

1 THE SESSIONS JUDGE/ MAHALIR NEETHIMANDRAM,
FAST TRACK MAHILA COURT,
KARUR.

2 THE JUDICIAL MAGISTRATE,
FAST TRACK COURT (MAGISTERIAL LEVEL),
KARUR.

3 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
KARUR.

+1. C.C. to M/S D.RAMESHKUMAR Advocate SR.No.34016

ORDER

IN

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IN

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Date :29/06/2016