



WEB COPY

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

Tuesday, the Twenty Eighth day of June Two Thousand Sixteen
PRESENT

The Hon`ble Dr.Justice P.DEVADASS

CRL MP(MD) No.5221 of 2016

IN

CRL RC(MD) No.455 of 2016

M. HARIHARAN

... PETITIONER/PETITIONER

Vs

BOOMINATHAN

... 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 imposed by the Learned Sessions Judge, Mahalir Neethimandram (Fast Track Mahila Court), Karur in Crl.A.No.17 of 2016 by the judgement dated 20.04.2016 confirming the conviction and modifying the judgement imposed by the learned Judicial Magistrate, Fast Track Court at Magistrate level, Karur in C.C.No.578 of 2014 by dated 05.02.2016 enlarge the petitioner on bail 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.S.DEENADHAYALAN, Advocate for the petitioner, the court made the following order:-

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

2.The revision petitioner is accused in a cheque bouncing case in C.C.No.578 of 2014.

3.The learned Judicial Magistrate, Fast Track Court at Magisterial Level, Karur convicted the petitioner and sentenced him to 6 months S.I. and fined him Rs.2,500/- with default sentence.

4.The learned Additional Sessions Judge, Fast Track Mahila Court, Karur, in Crl.A.No.17 of 2016 confirmed the conviction, however reduced the sentence to 3 months S.I. and fined him Rs.2,500/- with default sentence. Fine amount has been paid.

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.



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

- (1) Revision bail granted.
- (2) Modified sentence of imprisonment awarded by the learned Additional Sessions Judge, Fast Track Mahila Court in Crl.A.No.17 of 2016 is suspended.
- (3) There shall be two sureties, they and the petitioner shall each execute a bond for Rs.10,000/- (Rupees Ten thousand only) to the satisfaction of the learned Judicial Magistrate, Fast Track Court at Magisterial Level, Karur.
- (4) 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/-
28/06/2016

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

TO

- 1 THE ADDITIONAL 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.

+1. C.C. to M/S S.DEENADHAYALAN Advocate SR.No.33660

ORDER
IN
CRL MP(MD) No.5221 of 2016
IN
CRL RC(MD) No.455 of 2016
Date :28/06/2016

PA/GSV-PM/SAR II/30.06.2016/2P/5C