



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

Thursday, the Thirtieth day of June Two Thousand Sixteen

PRESENT

The Hon`ble Dr.Justice P.DEVADASS

CRL MP(MD) No.5319 of 2016
IN
CRL RC(MD) No.462 of 2016

C.PONNAMBALAM

... PETITIONER/PETITIONER

Vs

R.KANDASAMY

... 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 passed against the petitioner by the judgement dated 13.5.2016 passed in C.A. No.24 of 2016 on the file of the Sessions Court Fast Track Mahila Court, Karur confirming the judgement dated 18.2.2016 passed in C.C. No.571 of 2013 on the file of the J.M. Fast Track Court, at Magistrate Level Karur and release the petitioner on bail till the disposal of the above 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 B.K.RAJENDRAN, Advocate for the petitioner and the court made the following order:-

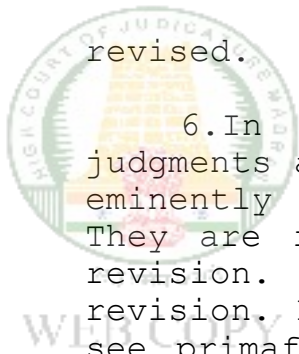
The revision petitioner challenges the legality and propriety of the conviction and sentence recorded by the trial Court as well as the appellate Court.

2.The revision petitioner is the accused in a cheque bouncing case in C.C.No.571 of 2013.

3.The learned Judicial Magistrate, Fast Track Court at Magisterial Level, Karur convicted the petitioner under Section 138 N.I. Act and sentenced him undergo 1 month S.I. and fined Rs.1,000/- with default sentence.

4.The learned Additional Sessions Judge, Fast Track Mahila Court, Karur confirmed the conviction and sentence and dismissed the Criminal Appeal No.24 of 2016. 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) Sentence of imprisonment awarded by the learned Judicial Magistrate, Fast Track Court at Magisterial Level, Karur in C.C.No.571 of 2013 as confirmed by the learned Additional Sessions Judge, Fast Track Mahila Court, Karur in Crl.A.No.24 of 2016 alone is suspended.

(3) There shall be two sureties, they and the petitioner shall each execute a bond for Rs.15,000/- (Rupees Fifteen 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/-

30/06/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE III ADDL 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.T.Selvan, Advocate SR.No.34299

sj

JM/AAL-MPA/SAR-I/30.06.2016/2P-5C

ORDER

IN

CRL MP(MD) No.5319 of 2016

IN

CRL RC(MD) No.462 of 2016

Date : 30/06/2016