



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

Friday, the Twelfth day of August Two Thousand Sixteen

PRESENT

The Hon`ble Dr.Justice P.DEVADASS

CRL MP(MD) No.6898 of 2016
IN
CRL RC(MD) No.545 of 2016

P. SHANMUGAM

... PETITIONER/PETITIONER

Vs

K.R. GANESAN

... 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 in judgment in Crl.A.No. 92 of 2015 on the file of Principal Sessions Judge, Karur modifying the judgment made in C.C.No. 370 of 2013 on the file of Fast Track Court at Magistrate Level, Karur till the disposal of the Crl.R.C.

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

The petitioner challenges the legality and propriety of the conviction and sentence recorded by the Trial Court as well as by the Appellate Court.

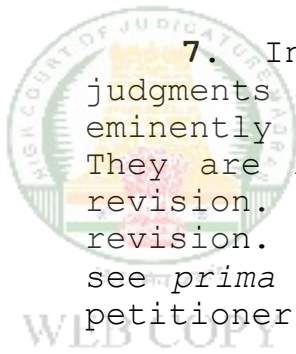
2. The revision petitioner is the accused in a cheque bouncing case in C.C.No.370 of 2013, on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Karur.

3. The petitioner has been convicted under Section 138 N.I.Act, and sentenced to 2 Months S.I. + fine of Rs.1,500/-, i/d 15 Days S.I.

4. He has paid the fine amount.

5. The learned Sessions Judge, Fast Track Mahila Court, Karur, allowed the C.A.No.92 of 2015 in part; confirmed the conviction and modified the sentence to 1 Month S.I.

6. 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 required to be revised.



7. 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 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 foregoing, ordered as under:

- (i) Revision bail is granted.
- (ii) Sentence of imprisonment ordered by the Trial Court and modified by the Appellate Court alone is suspended.
- (iii) There shall be two sureties, they and the 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 petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m. until further orders.

sd/-
12/08/2016

/ TRUE COPY /

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

TO

1 THE SESSIONS JUDGE,
FAST TRACK MAHILA COURT, KARUR

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

3 THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.

+1. C.C. to M/S.S.GOKUAL RAJ Advocate SR.No.44474

GJM/SKS/RR/SAR-I-17.8.16-2P-5C

ORDER
IN
CRL MP (MD) No.6898 of 2016
IN
CRL RC (MD) No.545 of 2016
Date :12/08/2016 (1/2)