



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

Monday, the Twenty Second day of August Two Thousand Sixteen

PRESENT

The Hon`ble Dr.Justice P.DEVADASS

CRL MP (MD) No.7242 of 2016
IN
CRL RC (MD) No.571 of 2016

R. RAMESHKUMAR

... PETITIONER/PETITIONER.

Vs

P. MANISEKARAN

... 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. 8 of 2013 on the file of Principal Sessions Judge, Karur confirming the judgment made in STC No. 92 of 2012 on the file of Fast Track Court at Magistrate Level, Karur, till the disposal of the 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 S.GOKUL RAJ, Advocate for the petitioner, 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.

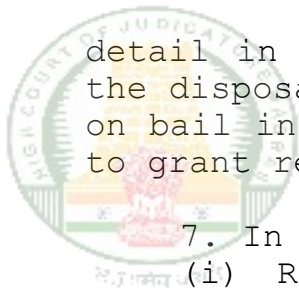
2. The petitioner is the accused in a cheque bouncing case in S.T.C.No.92 of 2012, on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Karur.

3. The petitioner has been convicted under Section 138 N.I.Act, and sentenced to 3 Months S.I. + fine Rs.5,000/-, i/d 30 Days S.I.

4. The learned Sessions Judge, Fast Track Mahila Court, Karur, confirmed the conviction and sentence and dismissed the Criminal Appeal No.8 of 2013.

5. The learned counsel for the petitioner also 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.

6. 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.

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

- (i) Revision bail granted.
- (ii) Sentence of imprisonment ordered by the Trial Court as confirmed 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/-

22/08/2016

/ 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 DO THRO THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
- +1. C.C. to M/S S.GOKUL RAJ Advocate SR.No.46279.

ORDER

IN

CRL MP (MD) No.7242 of 2016

IN

CRL RC (MD) No.571 of 2016

Date : 22/08/2016

AM/AAL.MPA/SAR-III/23.08.2016/2P/5C