

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1862 of 2016

ORDER:

-

1. This Criminal Revision Case is filed by the petitioner-accused aggrieved by the order dated 12.7.2016 passed in Crl.M.P.No.132 of 2016 in C.A.No.136 of 2016 by the Principal Sessions Judge, Ongole.

2. In C.C.No.151 of 2009 on the file of Judicial Magistrate of First Class, Special Mobile Court, Ongole, the petitioner was convicted and sentenced to undergo simple imprisonment for a period of one year and to pay a fine of Rs.5,00,000/-, out of which Rs.2,50,000/- is payable to the complainant as compensation, in default of payment of fine amount to suffer simple imprisonment for a period of three months for the offence punishable under Section 138 of the Negotiable Instruments Act. Aggrieved by the said judgment, the petitioner filed the above Criminal Appeal. Along with the appeal, the petitioner filed the above Crl.M.P. seeking suspension of the sentence passed by the trial Court. The learned Principal Sessions Judge, Ongole suspended the sentence and ordered for release of the petitioner on bail on his executing a personal bond for a sum of Rs.15,000/- with two sureties for the like sum each to the satisfaction of the Judicial First Class Magistrate, Special Mobile Court, Ongole and also on condition of the petitioner depositing an amount of Rs.1,00,000/- towards the fine amount. Aggrieved by the said condition, the petitioner filed this revision.

3. Heard and perused the material available on record.

4. Learned Additional Public Prosecutor opposed this revision.

5. Considering the facts and circumstances of the case and since the petitioner filed the appeal challenging the entire judgment of the

trial Court, this Court is inclined to pass the following order:

“The condition imposed by the learned Principal Sessions Judge, Ongole in the order under revision, directing the petitioner to deposit an amount of Rs.1,00,000/- towards the fine amount, is hereby set aside. Rest of the order under revision shall remain.”

6. With the above modification, the Criminal Revision Case is disposed of. Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 15th July, 2016

Nn

THE HONOURABLE SRI JUSTICE RAJA ELANGO

-
-
-
-
-
-
-
-
-
-
-
-

CRIMINAL REVISION CASE No.1862 of 2016

-
-
-
-

15.7.2016

Nn