

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1336 OF 2016

ORDER:

This Criminal Revision Case is filed by the petitioner-accused, under Sections 397 and 401 of the Code of Criminal Procedure, seeking to set aside the condition imposed in order, dated 04.05.2016, in CrI.M.P.242 of 2016 in CrI.A. No.378 of 2016 by the VIII Additional Sessions Judge, Ranga Reddy District, at L.B. Nagar.

Heard and perused the material available on record.

Petitioner was convicted for the offence punishable under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for a period of three months and also to pay compensation of Rs.2,20,000/- within one month, in default to undergo simple imprisonment for a period of one month, by the trial Court vide judgment, dated 12.04.2016, in C.C. No.270 of 2015. Against the said order, the petitioner filed CrI.A. No.378 of 2016 and he also filed CrI.M.P. No.242 of 2016 for suspension of sentence of imprisonment and compensation, passed by the trial Court. While suspending the sentence and compensation, the appellate Court directed the petitioner to deposit Rs.40,000/- within thirty days, vide order, dated 04.05.2016. Aggrieved by the condition of deposit of Rs.40,000/- imposed by the lower appellate Court, the present revision is filed.

Learned counsel for the petitioner submits that the petitioner is a private employee and she has no sufficient means to deposit the amount ordered by the lower appellate Court and therefore, he prays to set aside the condition of deposit of Rs.40,000/- imposed by the appellate Court against the petitioner.

Considering the arguments of both the learned counsel for the petitioner and in view of the fact that the main appeal is pending before the lower appellate Court, this Court is inclined to pass the following

order:

“The condition of deposit of Rs.40,000/- (Rupees Forty Thousand only) imposed by the VIII Additional Sessions Judge, L.B.Nagar, Ranga Reddy District, vide order, dated 04.05.2016, in CrI.M.P. No.242 of 2016 in CrI.A.No.378 of 2016, against the petitioner, is hereby set aside. The other conditions in the said order shall remain unaltered.”

Accordingly, the Criminal Revision Case is disposed of. Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

June 08, 2016.
KTL