

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.109 of 2015

ORDER:

This criminal revision case is directed against the order dated 17.12.2014 passed in Crl.M.P.No.471 of 2014 in Crl.A.No.260 of 2014 by the learned I Additional District and Sessions Judge, Nellore.

2. Heard and perused the material available on record.

3. By judgment dated 13.11.2014 in C.C.No.373 of 2012 on the file of II Additional Judicial Magistrate of First Class, Nellore, the petitioner/accused was convicted for the offence under Section 138 r/w.142 of Negotiable Instruments Act, 1881 and sentenced to undergo simple imprisonment for a period of six months and also sentenced to pay a sum of Rs.12,00,000/- towards compensation to the complainant, in default he shall undergo simple imprisonment for a period of six months and the petitioner was also directed to deposit the said compensation within thirty days from the date of the judgment. Aggrieved by the same, the petitioner preferred Crl.A.No.260 of 2014 along with the impugned application seeking to suspend the said sentence of imprisonment along with the compensation amount. By the order impugned, the learned Sessions Judge suspended the sentence of imprisonment alone on the same terms as imposed by the trial Court. The grievance of the petitioner is that the appellate Court erred in not suspending the compensation amount. Hence, he filed the present revision.

4. Considering the facts and circumstances of the case, the Criminal Revision Case is disposed of with the following direction;

The appellate Court is directed to dispose of the appeal in accordance with law, within a period of six months from the date of receipt of a copy of this order, without insisting upon the petitioner for payment of compensation as ordered by the trial Court. As far as the sentence of imprisonment is concerned, the same is hereby suspended on the petitioner executing a bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with one surety for the like sum to the satisfaction of the trial Court.

Miscellaneous petitions, if any, pending in this revision shall stand closed.

RAJA ELANGO, J

10th June, 2016

sj