

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Ninth day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice R. SURESH KUMAR

CRIMINAL MISCELLANEOUS PETITION No.10799 of 2017

IN CRL RC.1137/2017

Z. THAVAKAL ALI

[PETITIONER]

Vs

M/S. SUJANA METAL PRODUCT
LIMITED, REP BY KANNAN

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.1137/2017 on the file of the High Court, the High Court will be pleased to suspend the sentence of order dated 10.04.2017 passed in CA.No.185 of 2016 by the XVAdditional Session Judge City Civil Court at Chennai in dismissing the Appeal by confirming order of conviction dated 30.05.2016 in C.C.No.3799 of 2012 passed by learned Metropolitan Magistrate, Fast Track Court II Egmore Chennai as against the petitioner pending disposal of the above Crl.R.C.No.1137/2017.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.R.C.No.1137/17 on the file of the High Court and upon hearing the arguments of M/S.A.BALASINGH RAMANUJAM, Advocate for the petitioner the court made the following order:-

This petition has been filed to suspend the sentence of imprisonment imposed on the petitioner in the judgment dated 10.04.2017 made in C.A.No.185 of 2016 on the file of the XV Additional Session City Civil Court, Chennai confirming the judgment dated 30.05.2016 made in C.C.No.3799 of 2012 on the file of the learned Metropolitan Magistrate, Fast Track Court-II, Egmore, Chennai.

2. On perusal of the judgments of the trial Court as well as the appellate Court, it is found that even though it was admitted by the complainant/P.W.1, that out of the cheque amount of Rs.2,00,000/-, a sum of Rs.1,00,000/- has already been paid by the petitioner/accused and the receipt of the same has been acknowledged by the respondent/complainant and these factors though has been concurrently accepted by both the Courts, conviction of one year simple imprisonment with the compensation of Rs. 2,00,000/- has been awarded against the petitioner.

3. On consideration of these aspects, this Court is inclined to pass the following orders :- The substantive sentence of imprisonment imposed against the petitioner alone is suspended and the petitioner is released on bail on the following conditions :-

(i) the petitioner shall deposit a sum of Rs.50,000/- (Rupees fifty thousand only) to the credit of C.C.No.3799 of 2012 on the file of the learned Metropolitan Magistrate, Fast Track Court-II, Egmore, Chennai within a period of four weeks from the date of receipt of copy of this order

(ii) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a likesum to the satisfaction of the learned Metropolitan Magistrate, Fast Track Court-II, Egmore, Chennai and also

(iii) the petitioner shall appear before the trial Court on the first working day of every English calender month at 10.30 a.m. until further orders.

-sd/-

29/08/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE,
FAST TRACK COURT-II, EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 XV ADDITIONAL SESSION CITY
CIVIL COURT, CHENNAI.

C.C. to M/S.A.BALASINGH RAMANUJAM Advocate on payment of
necessary charges Sr.16391

Order

in

CRL MP.10799/2017

in

CRL RC.1137/2017

Date :29/08/2017

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
rvr 01/09/2017