

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.10802 of 2017

IN CRL RC.1138/2017

Z.THAVAKAL ALI

[PETITIONER]

Vs

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

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to suspense the sentence of order dated 10.04.2017 passed by the XV Additional Sessions Judge City Civil Court at Chennai in CA.No.186 of 2016 confirming order of conviction dated 30.05.2016 in C.C.No.3800 of 2012 passed by learned Metropolitan Magistrate, Fast Track Court II Egmore, Chennai the petitioner pending disposal of the above main CRL.RC.NO.1138 OF 2017 [IN CRL.MP.NO.10802 OF 2017]

Order : This petition coming on for orders upon perusing the petition 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.186 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.3800 of 2012 on the file of the learned Metropolitan Magistrate, Fast Track Court-II, Egmore, Chennai.

2. After hearing the learned counsel appearing for the petitioner, this Court feels that some arguable points are there in this case and it can be decided only at the time of final hearing. More over, since the offence punishable under Section 138 of Negotiable Instrument Act is compoundable one, in order to enable the parties to arrive at a settlement towards compounding the offence, the following order is passed:

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.1,00,000/- (Rupees one lakh only) to the credit of C.C.No.3800 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 THE XV ADDITIONAL SESSIONS CITY CIVIL COURT,
CHENNAI.

+1C.C. to M/S.A.BALASINGH RAMANUJAM Advocate on payment of
necessary charges SR NO.16390

Order

in
CRL MP.10802/2017

in
CRL RC.1138/2017

Date :29/08/2017

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

MK:01/09/2017