

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Thirtieth day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice R. SURESH KUMAR

CRIMINAL MISCELLANEOUS PETITION No.10870 of 2017

IN CRL RC.1145/2017

K.PALANISAMY,

[PETITIONER]

Vs

P.BALASUBRAMANIAN

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.1145/2017 on the file of the High Court, the High Court will be pleased to suspend the sentence of imprisonment imposed on the petitioner in the judgment dated 16.08.2017 made in C.A.No.4 of 2017 on the file of the Second Additional District and Sessions Court, Erode confirming the judgment dated 24.11.2016 made in S.T.C.No.504 of 2012 on the file of the learned Judicial Magistrate, Fast Track Court No.2, Erode and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition before this Honble Court and thus render justice. [CRL.MP.10870/2017]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.1145/2017 on the file of the High Court and upon hearing the arguments of M/S.N.MANOKARAN, Advocate for the petitioner, the court made the following order:-

This is a petition to suspend the sentence imposed against the petitioner by the trial Court, as confirmed by the appellate Court.

2. After hearing the learned counsel for the petitioner, this Court feels that some arguable points are available in this case and also considering the fact that the offence punishable under Sec.138 of Negotiable Instruments Act is compoundable and also in order to enable the parties to settle the matter towards compounding the offence, the following interim order is passed:

3. The substantive sentence of imprisonment imposed against the petitioner alone is suspended on condition that the petitioner shall deposit a sum of RS.1,00,000/- (Rupees one lakh only) to the credit of S.T.C.No.504 of 2012 on the file of Judicial Magistrate, Fast Track Court No.II, Erode within a period of four weeks from the date of receipt of a copy of this order and also on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum to the

satisfaction of Judicial Magistrate, Fast Track Court No.II, Erode and also the petitioner shall appear before the concerned Court at 10.30 a.m on the first working day of every English calendar month until further orders.

Notice. Private Notice is also permitted.

-sd/-
30/08/2017

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 II ADDITIONAL DISTRICT
AND SESSIONS COURT, ERODE

2 THE JUDICIAL MAGISTRATE,
FAST TRACK COURT NO.2, ERODE

3 THE CHIEF JUDICIAL MAGISTRATE
ERODE [FOR INFORMATION]

+1 C.C. to M/S.N.MANOKARAN Advocate on payment of necessary charges SR.NO. 16615

Order

in
CRL MP.10870/2017

in
CRL RC.1145/2017

Date : 30/08/2017

From 7.2.2001 the Registry is issuing certified
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RD 01/09/2017