

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.10903 of 2017

IN CRL RC.1147/2017

ABARNASRI

[PETITIONER]

Vs

MOHAN BALAJI

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL RC.1147/2017 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed in STC.No.1/2016 on the file of Judicial Magistrate (FTC NO.II, Erode by a Judgment dated 30.01.2017 and the same was confirmed by the Appellate Court in C.A.No.36/2017 on the file of I Additional District and Sessions Judge of Erode by a judgment dated 27.07.2017, IN CRL.RC.NO.1147 OF 2017 [IN CRL.MP.NO.10903 OF 2017]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL RC.1147/2017 on the file of the High Court and upon hearing the arguments of M/S.C.S.SARAVANAN, 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 first Appellate Court.

2. The learned counsel appearing for the petitioner would submit that if some time is granted, parties would come forward to settle the matter as already negotiations to that effect has begun.

3. Since, the offence punishable under Section 138 of the Negotiable Instruments Act is compoundable and also in order to enable the parties to arrive at settlement towards compounding the offence, this Court is inclined to pass the following interim order:

4. Substantive sentence of imprisonment imposed against the petitioner alone is suspended on condition that the petitioner shall deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) to the credit of S.T.C No.1/2016 on the file of Judicial Magistrate (FTC No.II), Erode within a period of four weeks from the date of receipt of a copy of this order and also the

petitioner shall execute a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of Judicial Magistrate (FTC No.II), Erode and 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.

-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 ADDITIONAL DISTRICT AND
SESSIONS JUDGE, ERODE.

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

3 THE CHIEF JUDICIAL MAGISTRATE
ERODE [FOR INFORMATION]

+1C.C. to M/S.C.S.SARAVANAN Advocate on payment of necessary
charges SR NO.16522

Order

in
CRL MP.10903/2017

in
CRL RC.1147/2017

Date :30/08/2017

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MK:01/09/2017