

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Tenth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice M.S. RAMESH

CRIMINAL MISCELLANEOUS PETITION No.6519 of 2017

IN CRL RC.681/2017

1 FRIDGEHOUSE, A PARTNERSHIP FIRM
2 S.GIRIDHARAN

[PETITIONER]

Vs

G.JAGANATHAN

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased To suspend the conviction and the sentence imposed on him in C.A.No.172/2015 on the file of the Vth Additional District Session Judge at coimbatore and confirming the order in C.C.No.399 of 2014 on the file of the FTC (Fast Track Court), No.2, Magistrate Level at Coimbatore and release him on bail pending disposal of the above mentioned criminal revision petition.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.P.ANANTHAKRISHNAN, Advocate for the petitioner the court made the following order:-

The petitioners/A1 and A2 who are the appellants, have filed this petition, seeking for the relief of suspension of sentence imposed on them, for the offence u/s.138 of N.I.Act. A1 was sentenced to pay a fine of Rs.10,000/-, in default A2 shall undergo 2 months S.I. and A2 was sentenced to undergo 2 years S.I. and to pay a fine of Rs.10,000/-, in default to undergo 2 months S.I., made in C.C.No.399 of 2014 dated 09.07.2015, by the learned Judicial Magistrate, FTC @ Magisterial Level-II, Coimbatore.

2. Heard the submissions made by Mr.P.Anantha Krishnan, learned counsel for the petitioner and perused the materials placed on record.

3. Considering the grounds raised in the memorandum of grounds of criminal revision and also considering the fact that there are arguable points involved in this revision, this Court is of the considered view that the substantive sentence of imprisonment alone could be suspended pending appeal.

4. Accordingly, the substantive sentence of imprisonment alone is suspended, pending disposal of the appeal and the petitioners are directed to be enlarged on bail on condition that the petitioners shall execute separate 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 Judicial Magistrate, FTC @ Magisterial Level-II, Coimbatore in a period of fifteen days from the date of receipt of a copy of this order and on further condition, that the petitioner shall report before the concerned Court, once in a week i.e., on every Monday at 10.30 a.m. until further orders.

-sd/-
10/05/2017

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 VTH ADDITIONAL
DISTRICT SESSION JUDGE, COIMBATORE.

2 THE JUDICIAL MAGISTRATE,
FAST TRACK COURT, MAGISTRATE LEVEL -II, COIMBATORE.

+1C.C. to M/S.P.ANANTHAKRISHNAN Advocate on payment of
necessary charges SR.NO.8962

Order

in
CRL MP.6519/2017

in
CRL RC.681/2017

Date :10/05/2017

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EGR 12/05/2017