

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Tenth day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice R. SURESH KUMAR

CRIMINAL MISCELLANEOUS PETITION No.9956 of 2017

IN CRL RC.1052/2017

A. SADHIQ BATCHA, [PETITIONER]

Vs

K. NACHIMUTHU, [RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.1052/2017 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 judgement dated 14.07.2017 made in C.A.No. 58 of 2017 on the file of the learned Second Additional District Sessions Court, Erode, confirming the judgement dated 06.02.2017 made in C.C.No. 329 of 2012 on the file learned Judicial Magistrate, Fast Track Court No. 1, Erode.[CRL.MP.9956/2017]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.1052/2017 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 petition has been filed to suspend the sentence of imprisonment imposed on the petitioner in the judgment dated 14.07.2017 made in C.A.No.58 of 2017 on the file of the learned Second Additional District Sessions Court, Erode confirming the judgement dated 06.02.2017 made in S.T.C.No.329 of 2012 on the file of the learned Judicial Magistrate, Fast Track Court No.1, Erode.

2. Since the offence under Section 138 of Negotiable Instrument Act is compoundable one and there is every likelihood of settlement between the parties, this Court is inclined to consider the suspension of sentence alone to release the petitioner on bail.

3. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is released on bail on the following conditions :-

(i) the petitioner shall deposit a sum of Rs.1,50,000/- (Rupees one lakh fifty thousand only) to the credit of S.T.C.No.329 of 2012

on the file of the learned Judicial Magistrate, Fast Track Court No.I, Erode within a period of six weeks from today

(ii) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for a likesum to the satisfaction of the learned Judicial Magistrate, Fast Track Court No.I, Erode and also

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

(iv) It is made clear that if the conditions imposed on the petitioner are not complied with within the time stipulated, the order of suspending the sentence of imprisonment shall stand automatically vacated without any reference to this Court.

-sd/-

10/08/2017

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 JUDICIAL MAGISTRATE,
FAST TRACK COURT.NO.I, ERODE

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE[FOR INFORMATION]

3 THE 2ND ADDITIONAL DISTRICT
SESSIONS COURT, ERODE

C.C. to M/S.N.MANOKARAN Advocate on payment of necessary charges

Order

in
CRL MP.9956/2017

in
CRL RC.1052/2017

Date :10/08/2017

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
RD 10/08/2017