



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Twenty First day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL MP (MD) No.7498 of 2017

IN

CRL RC (MD) No.661 of 2017

S.RAJENDRAN

... PETITIONER/PETITIONER

Vs

A.SELVARAJ

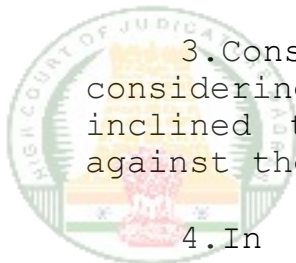
... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to Suspend the conviction and sentence imposed against the Petitioner in C.A No. 98/2016 dated 18.01.2017 on the file of the Learned Mahalir fast Track Court karur by Modifying the sentence passed by the Learned Judicial Magistrate/Fast Track Court at Magisterial Level Karur in C.C No. 572/2014 dated 03.12.2016 and enlarge the Petitioner on bail in pending disposal of the above Criminal Revision Petition.

Order : This petition coming on for admission upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.R.MATHIYALAGAN, Advocate for the petitioner, while admitting the CRL RC., the court made the following order:-

The petitioner/accused stood charged for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 in C.C.No.572 of 2014 on the file of the Judicial Magistrate/Fast Track Court at Magistrate Level, Karur. The Trial Court convicted the petitioner for the said offence and sentenced him to undergo four months simple imprisonment and imposed a fine of Rs.2,000/- in default to undergo one month simple imprisonment. Against the conviction and sentence passed by the trial court, the petitioner has filed an appeal in C.A.No.98 of 2016 on the file of the Mahalir Fast Track Court, Karur. The lower appellate Court allowed the appeal in part and confirmed the conviction passed by the trial Court and modified the sentence to the effect that the petitioner should undergo two months simple imprisonment. Challenging the same, the present Criminal Revision Case has been filed. Pending Revision, the petitioner has sought for suspension of sentence.

2.Heard Mr.R.Mathiyalagan learned Counsel appearing for the petitioner and perused the records carefully.



3.Considering the facts and circumstances of the case and also considering that there are arguable points in the case, I am inclined to suspend the sentence of imprisonment alone imposed against the petitioner.

4.In fine, this petition is allowed and the substantive sentence of imprisonment imposed on the petitioner/accused alone is suspended and the petitioner shall be released on bail on condition that the petitioner deposits a sum of Rs.1,00,000/- to the credit of Mahalir Fast Track Court, Karur within a period of six weeks from the date of receipt of a copy of this order and also directed to execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) along with two sureties each for a like sum to the satisfaction of the Judicial Magistrate/Fast Track Court at Magistrate Level, Karur with a further condition that the petitioner shall report before the committal Court on the first working day of every English Calender month at 10.30 a.m., till the disposal of the revision or until further orders.

sd/-

21/08/2017

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDGE, MAHALIR FAST TRACK COURT, KARUR.
 - 2 THE JUDICIAL MAGISTRATE/FAST TRACK COURT AT MAGISTERIAL LEVEL, KARUR.
 - 3 THE CHIEF JUDICIAL MAGISTRATE, KARUR.
- +1. C.C. to M/S.R.MATHIYALAGAN Advocate SR.No.29130

MJ

CSL/PM-PN/SAR-I/24.08.2017 : 2P/5C

ORDER

IN

CRL MP(MD) No.7498 of 2017

IN

CRL RC(MD) No.661 of 2017

Date :21/08/2017