



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

Monday, the Eighteenth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL MP (MD) No.8518 of 2017
IN
CRL RC (MD) No.733 of 2017

SANTHANARAJ,

... PETITIONER/PETITIONER

Vs

SRIDHAR,

... RESPONDENT/RESPONDENT

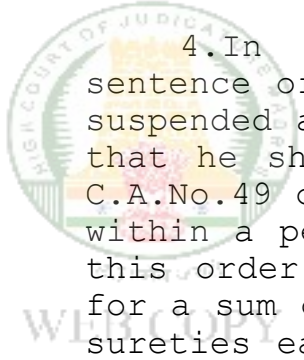
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to enlarge the petitioner on bail by suspending the sentence imposed in C.A.No.49/2015 by the Mahila Fast Track Court, Karur dated 08/03/2016 by modifying the judgement and conviction made in C.C.No.85/2013 by the Fast Track Court (Magisterial Level), Karur, dated 11/08/2015.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S. T. LENINKUMAR, Advocate for the petitioner and of MR.K.BALASUBRAMANI, Advocate for the Respondent while admitting the Crl.Rc. the court made the following order:-

The petitioner/accused stood convicted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 in C.C.No.85 of 2013 on the file of the Fast Track Court (Magistrate Level), Karur and sentenced to undergo two months simple imprisonment and directed to pay a fine of Rs.1,500/-, in default, to undergo fifteen days simple imprisonment. Challenging the same, he filed an appeal in C.A.No.49 of 2015 on the file of the Mahila Fast Track Court, Karur. The lower appellate Court confirmed the conviction passed by the trial Court and modified the sentence and directed the petitioner to undergo one month simple imprisonment. Challenging the same, the petitioner has filed this Criminal Revision Case. Pending Revision, he sought for suspension of sentence.

2.Heard Mr.T.Leninkumar, learned Counsel appearing for the petitioner and Mr.K.Balasubramani, learned counsel for the respondent and perused the records carefully.

3.I find some arguable points involved in the case. Hence, 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 he should deposit 50% of the cheque amount to the credit of C.A.No.49 of 2015 on the file of the Mahila Fast Track Court, Karur within a period of six weeks from the date of receipt of a copy of this order and on further condition that he should 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 Fast Track Court (Magistrate Level), Karur with a further condition that the petitioner shall report before the trial Court on the first working day of every English Calendar month at 10.30 a.m., till the disposal of the revision or until further orders.

sd/-
18/09/2017

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

MJ
TO

- 1 THE JUDGE,
MAHILA FAST TRACK COURT, KARUR
- 2 THE JUDGE
FAST TRACK COURT (MAGISTERIAL LEVEL), KARUR
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT.

+1. C.C. to M/S. T. LENINKUMAR Advocate SR.No.30962

GJM/CM/MSA/SAR-I-21.9.17-2P-5C

ORDER
IN
CRL MP(MD) No.8518 of 2017
IN
CRL RC(MD) No.733 of 2017
Date :18/09/2017