



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

Monday, the Thirtieth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL MP(MD) No.9777 of 2017

IN

CRL RC(MD) No.799 of 2017

M.M. MEIYAPPAN

... PETITIONER/ PETITIONER

Vs

C.CHANDRASEKAR

... 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 sentence imposed on the Petitioner in S.T.C No. 292/2012 dated 10.06.2016 by the Judicial Magistrate No. II, FTC Magisterial Level, Madurai which was confirmed by the IV additional district and sessions Judge, Madurai in C.A No. 45/2016 dated 08.09.2017 pending disposal of the above Criminal appeal.

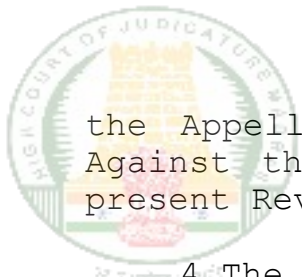
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.V.A.DHANA ARAVINDHA BALAJI, Advocate for DHANA LAW ASSOCIATES, for the petitioner and respondent not appeared either in person or by an advocate, while admitting the CRL RC, the court made the following order:-

The petitioner / accused in S.T.C.No.292 of 2012, on the file of the learned Judicial Magistrate No.II, Fast Track Court Magistrate level, Madurai, dated 10.06.2016 while challenging his conviction and sentence, seeks revision bail under Section 397(1) Cr.P.C.

2. After trial, he has been convicted and sentenced as under:

Conviction	Sentence
Section 138 of N.I.Act	6 months S.I + Compensation of Rs.40,00,000/- within a period of 2 months.

3.The petitioner has preferred an Appeal in Crl.A.No.45 of 2016 before the Additional District and Sessions Judge, Madurai, against the order of the learned Judicial Magistrate No.II, Fast Track Court Magistrate level, Madurai and the same was dismissed by



the Appellate Court confirming the Judgment of the Trial Court. Against that order of dismissal the petitioner has preferred the present Revision before this Court.

4. The learned counsel for the petitioner submitted that there are very many legal infirmities in the conviction recorded by the Trial Court and they are required to be revised. He further submitted that the petitioner has acted as a mediator to the complainant introducing the vendors in respect of purchase of property and he has not received any amount by way of impugned cheques, which are given as security. However, the learned counsel for the petitioner voluntarily agrees to deposit a sum of Rs.25,00,000/- as per Ex.P.1, before the learned Judicial Magistrate No.II, Fast Track Court Magistrate level, Madurai without prejudice to his contention. The petitioner is having prima facie case and also having arguable points in his favour.

5. In the facts and circumstances, perusing the impugned Judgment of the Trial Court as well as the Appellate Court and the materials on record, I am of the view that certain eminently arguable points are involved in this criminal revision. They are required to be examined in detail in the main criminal revision. On considerations, this petition is ordered as under:

- (i) Revision bail is granted.
- (ii) Substantial sentence alone is suspended on condition that the petitioner shall execute a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties for the like sum each to the satisfaction of the learned Judicial Magistrate No.II, Fast Track Court Magistrate level, Madurai.
- (iii) The petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m., until further orders.
- (iv) The petitioner is directed to deposit a sum of Rs.25,00,000/- before the learned Judicial Magistrate No.II, Fast Track Court Magistrate level, Madurai.

sd/-
30/10/2017

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO.II,
FAST TRACK COURT MAGISTRATE LEVEL, MADURAI.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
 3. THE IV ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MADURAI.
 4. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- +1. C.C. to M/S.DHANA LAW ASSOCIATES Advocate SR.No.33400

ORDER
IN
CRL MP (MD) No.9777 of 2017
IN
CRL RC (MD) No.799 of 2017
Date :30/10/2017

MS/CM-MSA/SAR.3/30.10.2017/3P.6C