

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Third day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL MISCELLANEOUS PETITION No.10284 and 10286 of 2018

IN CRL RC.903/2018

FATHI MUTHU BASHA

[PETITIONER

IN BOTH THE PETITIONS]

Vs

V.CHEERALAN

[RESPONDENT

IN BOTH THE PETITIONS]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.903/2018 on the file of the High Court, the High Court will be pleased to

[i]suspend the sentenced passed against in C.A.No.104 of 2017 by the Learned VII Additional Sessions Judge, Chennai order dated 24.07.2018 and enlarged the petitioner on bail pending above Criminal Revision.[CRL.MP.NO.10284/2018]

[ii]exempt the petitiioenr from surrendering in pursuance of the order passed by the learned VII additional Sessions Judge, Chennai in C.A.No.104 of 2017 dated 24.07.2018 confirming the judgment of the learned Metropolitan Magistrate, Fast Track Court NO.IV, George Town Chennai-1 in C.C.NO.539/2015 dated 31.01.2017 sentencing to undergo osix months S.I and to pay a compensation of RS.2,90,700/ i/d 2 months S.I.or pass any other order such order.[CRL.MP.NO.10286/2018]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.903/2018 on the file of the High Court and upon hearing the arguments of M/S.S.SURESH Advocate for the petitioner[IN BOTH THE PETITIONS] the court made the following order:-

This petitioner was convicted by the trial Court for the offence under Section 138 of Negotiable Instrument Act 2012 and sentenced to undergo six months S.I and imposed with compensation of Rs.2,90,700/-, in default in payment of fine sentenced the accused to undergo simple imprisonment for a period of two months to the respondent/complainant. Challenging the said conviction and sentence, pending revision, the petitioner has filed the present petition.

2. The sentence of the imprisonment imposed on the petitioner shall stand on condition that the petitioner shall deposit

for a sum of Rs.1,20,000/- awarded by the Court below as compensation within a period of eight weeks from today and on such deposit, the petitioner shall release on bail on his executing a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of the trial Court and on a further condition that the petitioner shall report before the trial Court on the first working day of every month at 10.30 a.m, pending disposal of the revision.

3.In view of the suspension of sentence, the petitioner is exempted from surrendering before the appellate Court and Crl.M.P.No.10286 of 2018 is ordered accordingly.

-sd/-

03/08/2018

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 VII ADDITIONAL SESSIONS
JUDGE, CHENNAI

2 THE METROPOLITAN MAGISTRATE
FAST TRACK COURT, IV,
GEORGE TOWN, CHENNAI

+2 C.C. to M/S.S.SURESH Advocate on payment of necessary charges
SR.NOS. 14514,14516

Order

in
CRL MP.10284 AND 10286/2018

in
CRL RC.903/2018

Date :03/08/2018

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
RD 03/08/2018