

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

Crl.R.C.No.833 of 2018
and
Crl.M.P.No.9470 of 2018

N.Selvaraju

...Petitioner

..Vs..

N.C.Shanmugam

...Respondent

PRAYER: Criminal Revision Petition filed under Section 397 read with 401 of the Criminal Procedure Code, to call for the records in C.A.No.32 of 2017 dated 04.09.2017 on the file of the III Addl.District & Sessions Judge, Salem confirming the order passed by the learned Judicial Magistrate No.I, Sankari, in STC.No.23 of 2015 dated 20.02.2017 to undergo 6 months of simple imprisonment and to pay compensation sum of Rs.5,45,000/- to the complainant to the offence under Section 138 of NI Act and set aside the same.

For Petitioner : Mr.S.Viswanathan
for M/s.Dass and Viswa Associates

For Respondent : M/s.R.Shase

O R D E R

Heard both sides and perused the records.

2. Ms.R.Shase, learned counsel takes notice on behalf the respondent.

3. After hearing both sides, in order to given an opportunity for the appellant to contest the case on merits, this criminal revision is disposed of on condition that the petitioner is directed to deposit 25% of the compensation amount of Rs.5,45,000/- before the trial Court within a period of six weeks from the date of receipt of a copy of this order and suspension of sentence is set aside and the matter is remitted

back to the Magistrate who shall dispose the case within a period of eight weeks from the date of receipt of a copy of this order.

nvi

dt.17.07.2018

Being mentioned

This CrI.RC.having been posted on this day 'for being mentioned' on pursuance to the order dated 17/07/2018 and made herein in the pursuance of Mr.S.Viswanathan, Advocate for the petitioner and Mr.S.Shase, Advocate for the respondent, this court made the following order.

This matter is being listed under the caption 'for being mentioned' today.

2. The third paragraph of the order dated 17.07.2018 shall reads as follows:-

After hearing both sides, in order to give an opportunity for the appellant to contest the case, this Criminal Revision is disposed of on condition that petitioner is directed to deposit 25% of the compensation amount of Rs.5,45,000/- before the trial Court within a period of six weeks from the date of receipt of a copy of this order and on such deposit of 25% of the compensation amount before the trial Court, there shall be an order of suspension of sentence passed by the Courts below and the matter is remitted back to the learned IIIrd Additional Sessions Judge, Salem for disposal of the case within a period of eight weeks from the date of receipt of a copy of this order.

nvi

dt.13.08.2018

Sd/-

Assistant Registrar(CS IX)

//True copy//

Sub Assistant Registrar

To

1. The III Addl.District & Sessions Judge, Salem

2. The Judicial Magistrate No.I, Sankari

+lcc to Mr.Dass & Viswa Associates, Advocate SR.No.55635

+lcc to Mr.M.Guruprasad, Advocate SR.No.56197

CrI.R.C.No.833 of 2018and

CrI.M.P.No.9470 of 2018

VBA (CO)

GN(27/07/2018)

sm:20.8.2018