

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fourth day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL MISCELLANEOUS PETITION No.11056 of 2018

IN CRL RC.956/2018

J.MANICKAM

[PETITIONER]

Vs

S.RAJENDRAN

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.956/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed by the Learned VI Additional Judge, City Civil Court, Chennai passed in Crl.A.No.72 of 2017 dated 09.08.2018 confirming the order of the Learned Metropolitan Magistrate, Fast Track Court III at Saidapet Chennai passed in C.C.No.5828 of 2013, dated 03.03.2017 pending disposal of the above Criminal Revision Petition No.956 of 2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.956/2018 on the file of the High Court and upon hearing the arguments of MR.S.V.KARTHIKEYAN, Advocate for the petitioner, the court made the following order:-

The Petitioner/Appellant has come forward with Crl.M.P.No.11056 of 2018 seeking to suspend the sentence imposed on him by the judgment dated 09.08.2018 passed in Crl.A.No.72 of 2017 on the file of the learned VI Additional Judge, City Civil Court, Chennai convicting the petitioner/Appellant and sentenced to undergo six months simple imprisonment and also directed to pay the cheque amount as compensation, confirming the order passed by the learned Metropolitan Magistrate Court, Fast Track Court No.III, Saidapet, Chennai in C.C.No.5828 of 2013 dated 03.03.2017.

2. The learned counsel for the petitioner submits that there are inconsistencies in the evidence of the witnesses, which were not properly considered by the Appellate Court while confirming the Judgment of the trial Court. It is further stated that there are arguable points involved in the revision and further the revision is not likely to be taken up for final hearing in the near future. Hence, the counsel for petitioner prayed for suspending the substantial portion of the sentence imposed on him by the appellate Court, pending disposal of the present Criminal revision.

3. Having regard to the submission of the learned counsel for the petitioner, this Court is inclined to suspend the sentence

imposed on the petitioner subject to certain conditions.

4. Accordingly, substantial sentence of imprisonment alone is suspended on condition the petitioner to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) within a period of four weeks to the credit of C.C.No.5828 of 2013 on the file of the learned Metropolitan Magistrate Court, Fast Track Court No.III, Saidapet, Chennai and also to execute a bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the Trial Court and on 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.

-sd/-
24/08/2018

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 VI ADDITIONAL JUDGE,
CITY CIVIL COURT, CHENNAI.

2 THE METROPOLITAN MAGISTRATE,
FAST TRACK COURT-III,
SAIDAPET, CHENNAI.

3 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI.
[FOR INFORMATION]

+1C.C. to M/S.S.V.KARTHIKEYAN Advocate on payment of necessary charges in SR.NO. 16150

Order
in
CRL MP.11056/2018

in
CRL RC.956/2018

Date :24/08/2018

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