

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Tenth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL MISCELLANEOUS PETITION No.5643 of 2018

IN CRL RC.470/2018

K.SAMPATH,

[PETITIONER/ACCUSED]

Vs

SELVARAJ,

[RESPONDENT]

S/O.KARUUIAH,

NO.18-B, SECTION 'A',

MANAGER, LUCKNOW,

UTTAR PRADESH - 226 006.

REP. BY HIS POWER OF ATTORNEY AGENT

MR.RAJENDRAN

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal RC.470 OF 2018 on the file of the High Court, the High Court will be pleased to suspend the sentence made in Crl.A.No.97 of 2014 in STC No.117 of 2012 which was confirmed the sentence by the learned Additional Sessions Judge II, Poonamallee, dated 17.11.2017 pending disposal of the above CRL.RC.470/2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.RC.No.470 of 2018 on the file of the High Court and upon hearing the arguments of M/S.P.KUMARESAN, Advocate for the petitioner the court made the following order:-

Learned counsel for the petitioner submits that the petitioner has been convicted by the learned trial Judge for the alleged offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo four months Simple Imprisonment and also to pay a fine of Rs.3,500/- in default to undergo one month Simple Imprisonment. The said conviction and sentence imposed by the trial Court was modified by the lower appellate Court. As against which, the present criminal revision case is filed.

2. The learned counsel appearing for the petitioner further submitted that the petitioner was on bail pending trial and appeal and he has also paid the fine amount imposed by the trial Court.

3. This Court has considered the submissions made by the learned counsel for the petitioner and perused the materials available on record.

4. Considering the grounds raised in the memorandum of grounds of criminal revision and also the fact that the petitioner was on bail pending trial and appeal and he has also paid the fine amount imposed by the trial Court, this Court is of the considered view that the substantive sentence of imprisonment alone could be suspended pending revision.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Fast Track Court Magistrate Level No.II at Poonamallee, and on further condition that the petitioner shall report before the said Court on the first working day of every month at 10.30 a.m. pending disposal of the revision.

-sd/-
10/04/2018

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 FAST TRACK COURT
MAGISTRATE LEVEL NO.II, AT POONALMALLEE.

2 THE PRINCIPAL SESSIONS JUDGE,
TIRUVALLUR. [FOR INFORMATION]

3 THE ADDL. SESSIONS JUDGE II,
POONAMALLEE.

+1 C.C. to M/S.P.KUMARESAN Advocate on payment of necessary charges-Sr.7125

Order

in
CRL MP.5643/2018

in
CRL RC.470/2018

Date :10/04/2018

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
ths : 13.04.2018