

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fourth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL MISCELLANEOUS PETITION Nos.7464 & 7465 of 2018

IN CRL RC.643/2018

MAHESWARAN,

[PETITIONER IN BOTH THE PETITIONS]

Vs

VELAYUDHASWAMY SPINNING MILLS
PVT LTD., COLLECTION MANAGER,
MR.THIRUGNANAM,

[RESPONDENT IN BOTH THE PETITIONS]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal RC.No.643 OF 2018 on the file of the High Court, the High Court will be pleased to

(1) suspend the sentence of imprisonment imposed on the petitioner in the judgment dated 31.01.2018 made in Crl.A.No.22 of 2017 on the file of the learned II Additional District Sessions Court, Tiruppur confirming the judgment dated 31.01.2017 made in STC No.327 of 2012 on the file of the learned Fast Track Judicial Magistrate Court Tiruppur pending disposal of the above CRL.RC.643/2018. (CRL.MP.7464/2018)

(2) Grant an order of exemption from surrendering before the trial Court in pursuance to the judgment dated 31.01.2018 made in Crl.A.No.22 of 2017 on the file of the learned II Additional District and Sessions Court, Tiruppur confirming the judgment dated 31.01.2017 made in S.T.C No.327 of 2012 on the file of the learned Fast Track Judicial Magistrate Court, Tiruppur pending disposal of the above CRL.RC.643/2018. (CRL.MP.7465/2018)

Order : These petitions coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.RC.No.643 of 2018 on the file of the High Court and upon hearing the arguments of M/S.R.PRABAKAR, Advocate for the petitioner (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 one year R.I and also imposed with fine of Rs.1,000/-in default in payment of fine sentenced the accused to undergo simple imprisonment for a period of one month 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 suspend on condition that the petitioner shall deposit for a sum of Rs.2,00,000/- 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.7465 of 2018 is ordered accordingly.

-sd/-
04/07/2018

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 II, ADDL. DISTRICT SESSION
COURT, TIRUPPUR.

2 THE FAST TRACK
JUDICIAL MAGISTRATE COURT, TIRUPPUR.

C.C. to M/S.R.PRABAKAR Advocate on payment of necessary charges

Order

in
CRL MP.Nos.7464 & 7465/2018

in
CRL RC.643/2018

Date :04/07/2018

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
ths : 09.07.2018