

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Thirteenth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL MISCELLANEOUS PETITION No.7837 of 2018

IN CRL RC.675/2018

IN S.T.C.NO.114 OF 2015

[ON THE FILE OF THE LEARNED JUDICIAL MAGISTRATE NO.I,ARIYALUR,
ARIYALUR DISTRICT]

PANDIYAN

[PETITIONER]

Vs

SAMINATHAN,

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.675/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed on the Petitioner/Appellant herein in C.A.No. 12 of 2017 on the file of the Learned Principal & District Sessions Judge, Ariyalur, Ariyalur District dated 20.12.2017 and enlarge the petitioner on bail, pending disposal of the above appeal on the file of this Honble Court.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.675/2018 on the file of the High Court and upon hearing the arguments of M/S.K.BALU Advocate for the petitioner ,and of M/S.S.KAMADEVAN Advocate on behalf of the Respondent, the court made the following order:-

The petitioner was convicted for the offence under Section 138 of Negotiable Instruments Act and sentenced to undergo 1 year simple imprisonment. Challenging the same, he has filed the present revision petition. Pending the revision petition, he has filed this miscellaneous petition seeking suspension of sentence.

2. The learned counsel for the petitioner has submitted that the amount involved is only for Rs.1,00,000/-. However, the amount of cheque is said to be Rs.5,00,000/-. As there are arguable points, I am inclined to suspend the sentence on the petitioner depositing Rs.1,00,000/- (Rupees one lakh only) before the trial Court within a period of four weeks from today.

3. Accordingly, pending disposal of the revision, the sentence

of imprisonment alone is suspended and the petitioner shall be released on bail on his depositing the said amount of Rs.1 lakh and on such payment, he shall execute 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. until further orders.

4. The learned counsel for the petitioner and the learned counsel for the respondent are directed to file a 'compliance report'. Post the matter after four weeks.

-sd/-

13/06/2018

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 PRINCIPAL AND DISTRICT
SESSIONS JUDGE,ARIYALUR

2 THE CHIEF JUDICIAL MAGISTRATE
ARIYALUR[FOR INFORMATION]

3 THE JUDICIAL MAGISTRATE
NO.I,ARIYALUR,ARIYALUR DISTRICT

+1 C.C. to M/S.K.BALU Advocate on payment of necessary charges
SR.NO. 10612

+1 C.C. to M/S.S.KAMADEVAN Advocate on payment of necessary
charges SR.NO. 10590

Order

in
CRL MP.7837/2018

in
CRL RC.675/2018

Date :13/06/2018

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
RD 14/06/2018