

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Seventh day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL MISCELLANEOUS PETITION No.8568 and 8570 of 2018

IN CRL RC.742/2018

K.S.SIVAKUMAR

[PETITIONER

IN BOTH THE PETITIONS]

Vs

M.SENTHILKUMAR

[RESPONDENT

IN BOTH THE PETITIONS]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.742/2018 on the file of the High Court, the High Court will be pleased to

[i]suspend the sentence imposed against the petitioner in STC No.730 of 2010 on the file of District Munsif Cum Judicial Magistrate, Kodumudi pending disposal of the above Criminal Revision Petition and pass such further or other orders.[CRL.MP.NO.8568/2018]

[ii]exempt the petitioner from surrendering pursuant to the Additional Sessions Judge, Magalir Neethi Mandram, (Fast Track Mahila Court) Erode confirming the conviction and sentence made in STC No.730 of 2010 on the file of the District Munsif -Cum-Judicial Magistrate,Kodumudi and pass such further or other orders. [CRL.MP.NO.8570/2018]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No. on the file of the High Court and upon hearing the arguments of M/S.K.S.KARTHIK RAJA Advocate for the petitioner [IN 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 six months S.I and imposed with compensation of Rs.5,00,000/-, 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 six 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.8570 of 2018 is ordered accordingly.

-sd/-

27/07/2018

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, KODUMUDI

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE [FOR INFORMATION]

3 THE ADDITIONAL SESSIONS JUDGE
MAGALIR NEETHI MANDRAM
[FAST TRACK MAHILA COURT],
ERODE

+1 C.C. to M/S.K.S.KARTHIK RAJA Advocate on payment of necessary charges SR.NO. 14099

WEB COPY

Order

in

CRL MP.8568 AND 8570/2018

in

CRL RC.742/2018

Date :27/07/2018

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RD 01/08/2018