

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL MISCELLANEOUS PETITION No.8841 of 2018

IN CRL RC.776/2018

C.NEELAMEGAM

[PETITIONER]

Vs

K.ARUL

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.776/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed by the Learned Principal Sessions Judge, Namakkal in C.A.no. 44 of 2017 dated 27.04.2018 confirming the Trial Court judgement & sentencing to undergo one year SI and fine of Rs.5000/- i/d 3months SI for the offence U/s. 138 of N.I. Act and enlarge the petitioner/Appellant/Accused in bail pending above Crl.RC.NO.776/2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.776/2018 on the file of the High Court and upon hearing the arguments of MR.S.SURESH, Advocate for the petitioner the court made the following order:-

The petitioner/accused was convicted by the learned Judicial Magistrate No.1, Namakkal, in C.C.No.108 of 2012 dated 27.06.2017 for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for one year and to pay a fine of Rs.5,000/- and in default to undergo simple imprisonment for three months. The said conviction and sentence were confirmed by the learned Principal Sessions Judge, Namakkal, in Crl.A.No.44 of 2017, dated 27.04.2018. As against which, the above criminal revision case is filed and now the petitioner/accused seeks to suspend the above said sentence.

2. Heard the learned counsel appearing for the petitioner.

3. Considering the grounds raised in the memorandum of grounds of criminal revision, this Court is of the considered view that the substantive sentence of imprisonment alone could be suspended pending revision.

4. Accordingly, the substantive sentence of imprisonment alone is suspended and 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 Judicial Magistrate No.1, Namakkal, and on further condition that the petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m. till the disposal of the revision.

-sd/-
06/07/2018

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 PRINCIPAL SESSIONS JUDGE,
NAMAKKAL.

2 THE JUDICIAL MAGISTRATE,
NO.I, NAMAKKAL.

3 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKA. [FOR INFORMATION]

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

Order

in
CRL MP.8841/2018

in
CRL RC.776/2018

Date :06/07/2018

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MLT-11/07/2018