

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL MISCELLANEOUS PETITION No.9495 & 9497 of 2018

IN CRL RC.835/2018

K.GOVINDARAJ

[PETITIONER]

Vs

P.GNANAMURUGAN

[RESPONDENT]

SON OF PERIYASAMY,

PROPRIETOR, GNANAMURUGAN TEXTILES

Petitions praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL RC.835/2018 on the file of the High Court, the High Court will be pleased to

[i] suspend the sentence of imprisonment imposed in the judgment dated 21.08.2017 made in S.T.C.No. 462 of 2015 on the file of the Judicial Magistrate (Fast Track Court No - I), Erode and the same was confirmed in the Judgment dated 20.04.2018 in C.A.No.261 of 2017 on the file of the I Additional District and Sessions Judge, Erode, and enlarge the petitioner on bail pending disposal of the above CRL.RC.835/2018 [IN CRL.MP.NO.9495 OF 2018]

[ii] grant on order of exemption from surrendering before the trial court in pursuance to the order 21.08.2017 made in S.T.C.No. 462 of 2015 on the file of the Judicial Magistrate (Fast Track Court No - I), Erode and the same was confirmed in the Judgment dated 20.04.2018 in C.A.No.261 of 2017 on the file of the I Additional District and Sessions Judge, Erode, pending disposal of the above CRL RC.835/2018 [IN CRL.MP.NO.9497 OF 2018]

Order : These petitions coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL RC.835/2018 on the file of the High Court and upon hearing the arguments of M/S.M.GURUPRASAD, Advocate for the petitioner, the court made the following order:-

This petitioner was convicted by the trial Court for the offence under Section 138 of Negotiable Instrument Act and sentenced to undergo simple imprisonment for six months and also awarded compensation of Rs.8,82,200/- payable by the appellant/accused and in default in payment of compensation to the respondent/complainant sentenced the accused to undergo S.I for a period of one month. 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.3,00,000/- 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.9419 of 2018 is ordered accordingly.

-sd/-
19/07/2018

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 JUDICIAL MAGISTRATE,
[FAST TRACK COURT NO.I] ERODE.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE [FOR INFORMATION]

3 THE I ADDITIONAL DISTRICT AND
SESSIONS JUDGE, ERODE.

+1C.C. to M/S.M.GURUPRASAD Advocate on payment of necessary charges SR NO.13512

Order

in
CRL MP.9495 & 9497 OF 2018

in
CRL RC.835/2018

Date :19/07/2018

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MK:23/07/2018