



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Ninth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL MP(MD) No.192 of 2018
IN
CRL RC(MD) No.15 of 2018

1 MR.JOHN PETER
2 MRS.SELVI

... PETITIONERS/PETITIONERS

Vs

V.PARTHASARATHI

... RESPONDENT/RESPONDENT

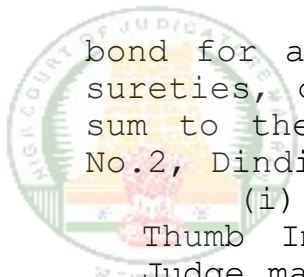
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the execution of substantive sentence imposed by the Learned Judicial Magistrate Court No.II, Dindigul in C.C.No.161 of 2015 on 19.09.2016 which is confirmed by the Learned Fast Track Mahila Court, Dindigul in C.A.No.44 of 2016 on 19.06.2017 by releasing the petitioner on bail to the satisfaction of Judicial Magistrate No.II, Dindigul and thus render justice.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.B.RAJESH SARAVANAN, Advocate for the petitioners and of MR.G.KARUPPASAMY PANDIAN, Advocate on behalf of the Respondent the court made the following order:-

It is seen that John Peter (A1) and Selvi (A2) were convicted by the learned Judicial Magistrate No.II, Dindigul in C.C.No.161 of 2015 on 19.09.2016 for the offence punishable under Section 138 of the Negotiable Instruments Act and they have been sentenced to pay a fine of Rs.1,55,000/- each and, in default, to undergo six months simple imprisonment. Challenging the conviction and sentence, John Peter and Selvi filed C.A.No.44 of 2016 before the Fast Track Mahila Court, Dindigul and the same was dismissed on 19.06.2017.

2. It is represented that in execution of the Commitment Warrant, Selvi has been arrested and she is undergoing sentence. This application for suspension of sentence and bail has been filed by both John Peter and Selvi, which is not maintainable for the simple reason that one of them is in jail and other is not in jail. Therefore, Crl.M.P.(MD)No.192 of 2018 is dismissed as against John Peter, the first petitioner herein.

3. As regards Selvi, sentence imposed by the Courts below is suspended and she is directed to be released on bail on furnishing a



bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.2, Dindigul and on further conditions that:

(i) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Trial Judge may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity.

(ii) At the time of furnishing the sureties, she shall deposit Rs.50,000/- [Rupees Fifty Thousand only] to the credit of C.C.No.161 of 2015 on the file of the learned Judicial Magistrate No.II, Dindigul, and on such deposit, the learned Judicial Magistrate No.II, Dindigul, is directed to re-deposit the amount in Fixed Deposit account in any one of the Nationalised Banks, so that, the amount can accrue interest and can be disbursed depending upon the outcome of the proceedings.

(iii) After release, Selvi shall appear before the Fast Track Mahila Court, Dindigul / Appellate Court once in a month i.e., on the first working day of every English Calendar month at 10.30 a.m., until further orders. If, on any date, she is not able to appear, liberty is given to file an application under Section 317 of the Code of Criminal Procedure giving reasons for her absence and she shall appear before the said Court on any other day, as directed by the said Court, in lieu of the date of her absence.

sd/-

09/01/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDGE,
FAST TRACK MAHILA COURT, DINDIGUL.

2 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

4 THE SUPERINTENDENT, CENTRAL JAIL, MADURAI

+1. C.C. to M/S.B.RAJESH SARAIVANAN Advocate SR.No.384

ORDER IN

CRL MP(MD) No.192 of 2018 IN

CRL RC(MD) No.15 of 2018

Date :09/01/2018