



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

Wednesday, the Twenty First day of March Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL MP(MD) Nos.876 & 877 of 2018

IN

CRL RC(MD) No.75 of 2018

NAGARAJAN,

... PETITIONER/PETITIONER/ APPELLANT/
ACCUSED NO.1 IN BOTH THE PETITIONS

Vs

SOUNDARRAJAN,

... RESPONDENT/RESPONDENT/RESPONDENT/
COMPLAINANT IN BOTH THE PETITIONS

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to STAY of all further proceedings of the Judgment dated 05.12.2017 made in C.A.No.32 of 2016 on the file of the Learned Additional District and Sessions Judge, (Fast Track Court), Kumbakonam confirming the conviction and sentence imposed by the Learned Judicial Magistrate Fast Track Court No.II, Kumbakonam in S.T.C.No.4057 of 2009 dated 21.04.2016.

Prayer in CRL MP(MD). 877/ 2018 :

To Suspend the sentence imposed in S.T.C.No.4057 of 2009 dated 21.04.2016 on the file of the Judicial Magistrate Fast Track Court No.II, Kumbakonam as confirmed by the Judgment dated 05.12.2017, made in Crl.Appeal No.32 of 2016 on the file of the Learned Additional District and Sessions Judge, (Fast Track Court), Kumbakonam.

Order : These petitions coming on for orders upon perusing the petitions filed in support thereof and upon hearing the arguments of M/S.N.R.BALAJI, Advocate for the petitioner and of MR.R.PRAKASH, Advocate for the respondent the court made the following order:-

On 08.02.2018, this Court passed the following order:

"Notice of motion returnable by 01.03.2018. Private notice is also permitted. Permission is also granted to the petitioner / accused to inform the learned counsel, who appeared for the respondent / complainant before the First Appellate Court and the Trial Court about the pendency of the revision, so that the respondent / complainant can make necessary arrangements to appear before this Court.



2. If the petitioner / accused deposits a sum of Rs.1,39,920/- (Rupees one lakh thirty nine thousand nine hundred and twenty only) being the cheque amount, by way of either lump sum or installments, to the credit of S.T.C.No.4057 of 2009, on the file of the learned Judicial Magistrate, Fast Track Court No.II, Kumbakonam, on or before 01.03.2018, this Court will consider granting suspension of sentence and bail without surrendering before the Court below.

3. Call on 01.03.2018."

2. The petitioner has failed to comply with the order. Hence, the Miscellaneous Petitions are dismissed. Liberty is given to the petitioner to surrender before the Trial Court and file a fresh application for suspension of sentence and bail, after he is admitted to judicial custody.

3. Post the revision in the usual course.

sd/-
21/03/2018

/ TRUE COPY /

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

TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE (FAST TRACK COURT)
KUMBAKONAM
- 2 THE JUDICIAL MAGISTRATE,
FAST TRACK COURT NO.II, KUMBAKONAM
- 3 THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM

+2. C.C. to M/S.R.PRAKASH Advocate SR.No.4486

ORDER
IN
CRL MP (MD) Nos.876
877 of 2018
IN
CRL RC (MD) No.75 of 2018
Date :21/03/2018