



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

Friday, the Tenth day of August Two Thousand Eighteen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL MP (MD) No.4706 of 2018

IN

CRL RC (MD) No.338 of 2018

D.KUMAR

... PETITIONER/PETITIONER/ACCUSED (SOLE)

Vs

K.K.RENGANATHAN

... RESPONDENT/RESPONDENT

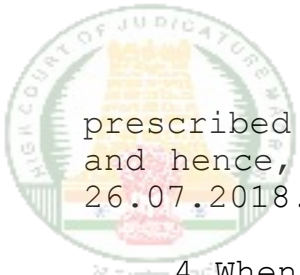
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence imposed in Crl.A.No.53/2017 dated 14/03/2018 on the file of the Additional District and Sessions Judge (FTC) Kumbakonam confirming the order passed in STC.No.1453/2012 dated 13/06/2017 on the file of the Learned Judicial Magistrate No.II, Kumbakonam and release the petitioner on bail pending disposal of the above Crl.R.C.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of MR.S.BHARATHI, Advocate for the petitioner and of MR.GUHAN, Advocate on behalf of the Respondent, the court made the following order:-

This petition has been filed to suspend the sentence made in Crl.A.No.53 of 2017 dated 14.03.2018 on the file of the Additional District and Sessions Court (Fast Track Court), Kumbakonam, confirming the order passed in S.T.C.No.1453 of 2012 dated 13.06.2017 on the file of the learned Judicial Magistrate No.II, Kumbakonam and release the petitioner on bail pending disposal of the above criminal revision petition.

2.The concurrent findings of the Courts below in a prosecution under Section 138 of Negotiable Instruments Act, appeal has been preferred and pending appeal, this Court has suspended the sentence on condition to deposit a sum of Rs.1,50,000/- on or before 10.07.2018.

3.When the matter was taken up for hearing on 12.07.2018, it was reported by the learned counsel for the petitioner that due to the poverty, the petitioner could not deposit the amount within the



prescribed time fixed by the Court and sought for extension of time and hence, this Court extended the time to deposit the amount till 26.07.2018.

4. When the matter came up for hearing on 30.07.2018, further extension was sought by the learned counsel for the petitioner and the Court has extended the time for payment till 07.08.2018 and posted the matter on 10.08.2018 for reporting compliance .

5. Today (10.08.2018), when the matter was taken up for hearing, the learned counsel for the petitioner submitted that the petitioner is not in position to deposit the money as per the direction of this Court and seeks further extension of time. Enough time has been granted by this Court, even after extension of time thrice, the petitioner has not come forward to deposit the amount.

6. Hence, this Court finds no reason to extend the time or suspend the sentence. Accordingly, the petition to suspend the sentence is dismissed.

7. Post the main revision case for final disposal in the normal course.

sd/-
10/08/2018

/ TRUE COPY /

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

TO

- 1 THE ADDITIONAL DISTRICT AND
SESSIONS JUDGE, (FTC), KUMBAKONAM.
- 2 THE JUDICIAL MAGISTRATE NO.II, KUMBAKONAM.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

+1. C.C. to Mr.K.GUHAN Advocate SR.No.15329

ORDER
IN
CRL MP (MD) No.4706 of 2018
IN
CRL RC (MD) No.338 of 2018
Date : 10/08/2018

PK/JC/SAR-1/03.09.2018 : 2P/5C