



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

Thursday, the Twenty Fifth day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL MP(MD) Nos.8508 and 8509 of 2018

IN

CRL RC(MD) No.589 of 2018

A.PONNAMMAL

... PETITIONER/PETITIONER
IN BOTH THE PETITIONS

Vs

D.G.RAMACHANDRAN

... RESPONDENT/RESPONDENT
IN BOTH THE PETITIONS

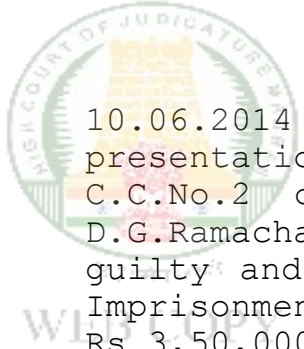
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the execution of sentence in CA.No.08/2016 dated 23/08/2018 on the file of the Learned Additional District and Sessions Judge (Fast Track Court, Theni) confirming the Judgement of the Learned Judicial Magistrate (Fast Track Court) at Judicial Magisterial Level, Uthamapalayam, Theni District in C.C.No.02/2015 dated 27/01/2016 pending disposal of the above Crl.R.C

Prayer in CRL MP(MD). 8509/ 2018 :

To exempt the petitioner to surrender before the court to take the Judgement of the Appellate Court in CA.No.08/2016 dated 23/08/2018 on the file of the Learned Additional District and Sessions Judge (Fast Track Court), Theni in wherein he has confirmed the Judgement of the Learned Judicial Magistrate (Fast Track Court) at Judicial Magisterial Level, Uthamapalayam, Theni District in C.C.No.02/2015 dated 27/01/2016 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.N.ANANTHAPADMANABAN, Advocate for M/S.A.PN.LAW ASSOCIATES for the petitioner in both the petitions the court made the following order:-

The revision case is preferred against the concurrent findings of the Courts below.



10.06.2014 to discharge her debt. The cheque got dishonored during presentation for 'want of funds'. Hence, complaint in C.C.No.2 of 2015 was preferred by the bearer of the cheque D.G.Ramachandran. Both the Courts have found the revision petitioner guilty and she has been sentenced to undergo three months Simple Imprisonment and pay the cheque amount of Rs.3,50,000/- as compensation.

3. Aggrieved by that, the revision petitioner has filed these criminal miscellaneous petitions for exemption to surrender and also to suspend the execution of sentence.

4. Considering the facts of the case and the revision petitioner being a lady of 60 years of age, this Court is inclined to suspend the sentence on condition that:-

- (i) The petitioner shall deposit a sum of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) on or before 30.11.2018. Till that date, she is exempted from surrendering;
- (ii) the petitioner shall be enlarged on bail, on her executing of a bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of Learned Judicial Magistrate, (Fast Track Court) at Judicial Magisterial Level, Uthamapalayam, Theni District;
- (iii) the petitioner shall attend the trial, without fail;
- (iv) the petitioner shall not tamper with the evidence or witness and
- (v) on breach of any of the aforesaid conditions, the learned trial Judge is entitled to take appropriate action, as if the conditions have been imposed and the appellant released on bail by the trial Judge himself as laid down by Hon'ble Supreme Court in P.K.Shaji vs State of Kerala in **2005 AIR SCW 5560**.

Post the matter on 3.12.2018.

sd/-
25/10/2018

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

TO



2 THE JUDICIAL MAGISTRATE
(FAST TRACK COURT) AT JUDICIAL MAGISTRATE LEVEL
UTHAMAPALAYAM, THENI

3 THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT

+1. C.C. to MR.N.ANANTHAPADMANABAN Advocate SR.No.20314

ORDER
IN
CRL MP (MD) Nos.8508 and
8509 of 2018
IN
CRL RC (MD) No.589 of 2018
Date :25/10/2018

MSI/JC/SAR-IV/30.10.2018-3P/5C