



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

Monday, the Twenty Fourth day of September Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL MP (MD) No.7530 of 2018

IN

CRL RC (MD) No.539 of 2018

K. MURUGESWARI

... PETITIONER/PETITIONER/APPELLANT/
ACCUSED

Vs

MALAICHAMY

... RESPONDENT/RESPONDENT/RESPONDENT/
COMPLAINANT

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 STC.No.3/2013 dated 04/08/2016 on the file of the Judicial Magistrate No.II (Fast Track Court), Madurai as confirmed by the Judgment dated 25/07/2018, made in Crl.A.No.76/2016 on the file of the IV Additional District and Sessions Judge, Madurai.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of MR.C.MAYIL VAHANA RAJENDRAN, Advocate for the petitioner the court made the following order:-

The petitioner has been convicted for an offence under Section 138 of the Negotiable Instruments Act and the Court below has awarded a punishment of six months simple imprisonment and directed the petitioner to pay a compensation of Rs.5,00,000/- (Rupees Five Lakhs only), being the cheque amount.

2.The petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) before the trial Court in S.T.C.No.3 of 2013, on the file of the learned Judicial Magistrate No.II, (Fast Track Court), Madurai. On such deposit, the sentence imposed against the petitioner in S.T.C.No.3 of 2013, dated 04.08.2016 and as confirmed by the Appellate Court in Crl.A.No.76 of 2016, on the file of IVth Additional District and Sessions Judge, Madurai, shall stand suspended and the petitioner shall be enlarged on bail on the following conditions:-

(a) The petitioner immediately shall execute a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) to the satisfaction of the learned Judicial Magistrate No.II, (Fast Track Court), Madurai with one surety for a like sum;



(b) The petitioner shall deposit a further sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) in S.T.C.No.3 of 2013 on the file of the learned Judicial Magistrate No.II, (Fast Track Court), Madurai within a period of four weeks after immediately coming out on bail.

(c) If the petitioner fails to comply with the condition imposed in (b) within the time stipulated by this Court, the suspension of sentence shall stand automatically cancelled and the trial Court shall take steps to secure the petitioner in order to undergo the sentence.

(d) The petitioner shall report before the Judicial Magistrate No.II, (Fast Track Court), Madurai, **once in two months** on the first working day, pending disposal of the Criminal Revision Case.

3.Accordingly, this petition is ordered.

sd/-
24/09/2018

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

TO

1.THE IV ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MADURAI.

2.THE JUDICIAL MAGISTRATE NO.II,
(FAST TRACK COURT),MADURAI.

3.DO THRO'THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

4.THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN, MADURAI

+1. C.C. to MR.C.MAYIL VAHANA RAJENDRAN Advocate SR.No.18168

ORDER
IN
CRL MP (MD) No.7530 of 2018
IN
CRL RC (MD) No.539 of 2018
Date :24/09/2018