

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL REVISION CASE NO.3313 OF 2017

ORDER:

This revision is filed by the petitioner-accused under Sections 397 and 401 Cr.P.C. challenging the order, dated 25.01.2017 in CrI.M.P.No.2736 of 2016 in unnumbered Appeal /2016 (CFR No.4091/2016), on the file of the Principal District and Sessions Judge, Chittoor.

2. Heard learned counsel for the petitioner and perused the record.

3. The 1st appellate Court while dealing with the subject matter, extended the time to the petitioner-accused. In spite of the same, the condition was not complied with and ultimately, the 1st appellate Court was pleased to pass the impugned order.

4. It is contended by the learned counsel for the petitioner-accused that Smt.Bharathi, Proprietrix of the petitioner's Industry is suffering from ill-health and therefore, she could not attend the Court. No record is produced before this Court to substantiate the same.

5. The petitioner-accused was found guilty for the offence punishable under Section 138 of the Negotiable Instruments Act. Though the cheque amount was Rs.30,00,000/-, the accused was sentenced to undergo Simple Imprisonment for a period of six months and to pay a fine of Rs.5,000/-, in default of payment of fine, she shall undergo Simple Imprisonment for a period of three months, vide judgment, dated 30.08.2016 in C.C.No.223 of 2016 on the file of the IV Addl.Judl. Magistrate of I Class, Chittoor. The trial Court had suspended the sentence. The

petitioner-accused did not comply with the conditions imposed by the 1st appellate Court. There is no infirmity in the order passed by the 1st appellate Court. The revision requires no consideration.

6. Accordingly, the Criminal Revision Case is dismissed. Miscellaneous petitions, if any pending in this Revision shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 02-04-2018.

Hsd

