

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.7130 of 2019
and Crl.M.P.No.3939 of 2019

D.Muthulakshmi

.. Petitioner

Vs

1.Jegathambal

2.State rep. by
The Public Prosecutor,
Thiruppur

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the order dated 01.03.2019 in Cr.M.P.No.251 of 2019 in C.A.No.27 of 2019 on the file of the Principal Sessions Judge, Thiruppur.

For Petitioner : Mr.K.Sudhakar

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original petition has been filed to set aside the order dated 01.03.2019 in Cr.M.P.No.251 of 2019 in C.A.No.27 of 2019 on the file of the Principal Sessions Judge, Thiruppur.

2. It is seen that the petitioner was convicted for an offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months and to pay a sum of Rs.3,00,000/- as compensation to the respondent/ complaint, by the learned

Judicial Magistrate No.I, Udumalpet by a judgment dated 31.01.2019 in C.C.No.136 of 2010. Challenging the same, petitioner had preferred an appeal in C.A.No.27 of 2015 on the file of the Principal Sessions Judge, Thiruppur. In the said appeal the petitioner filed a petition in C.M.P.No.251 of 2019 for suspension of sentence imposed on him by the trial Court. The lower appellate Court by an order dated 01.03.2019 dismissed the said petition on the ground that the petitioner/accused has not abide the condition. As against which the present petition has been filed.

3. Heard both sides.

4. Considering the facts and circumstances of the case, the Court below is directed to consider the petition filed by the petitioner for Suspension of Sentence on condition that the petitioner shall deposit a sum of Rs.1,00,000/-(Rupees One Lakh only) to the credit of C.C.No.136 of 2010 on or before 16.04.2019. On such deposit being made the Court below is directed to consider the petition for suspension of sentence filed by the petitioner and pass orders. सत्यमेव जयते

5. With the above direction, this Criminal Original Petition is disposed of.

09.04.2019

Note: Issue order copy on or before 12.04.2019

Index: Yes/No

Internet: Yes/No

rri

To

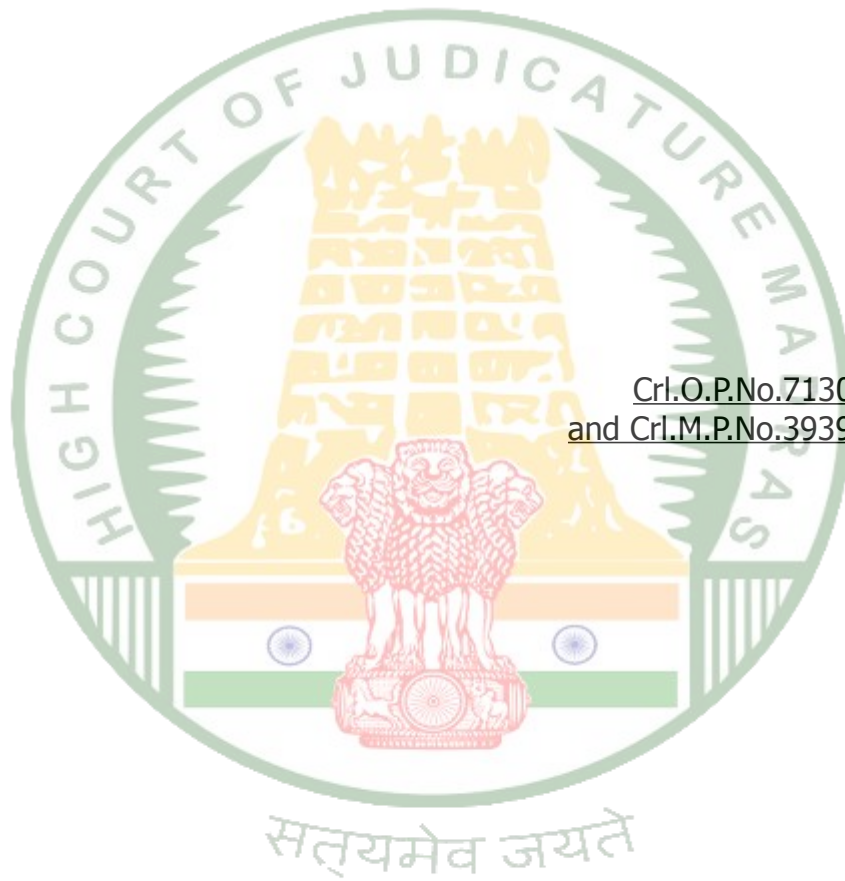
- 1.The Principal Sessions Judge,
Thirupur.
- 2.The Public Prosecutor,
High Court, Madras.



WEB COPY

G.K.ILANTHIRAIYAN, J.

rri



Crl.O.P.No.7130 of 2019
and Crl.M.P.No.3939 of 2019

WEB COPY

09.04.2019