

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Ninth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL MISCELLANEOUS PETITION No.5159 of 2019

IN CRL RC.360/2019

J.PONDURAI

[PETITIONER]

Vs

R.THANGAVELU

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL RC.360/2019 on the file of the High Court, the High Court will be pleased to suspend the sentence of imprisonment imposed in C.A.No.301 of 2017 dated 27.09.2018 on the file of the I Additional District and Sessions Court, Coimbatore confirming the conviction and modifying the sentence made in C.C. No.459 of 2015 dated 13.09.2017 on the file of the Judicial Magistrate, Fast Track Court No.I, Coimbatore and convicting the petitioner for offence under Section 138 of Negotiable Instruments Act and sentencing to undergo six months simple imprisonment and directing to pay compensation of Rs.7,00,000/- within 2 months from the date of Judgment, failing which, sentencing to undergo 2 months simple imprisonment pending CRL.RC.NO.360 of 2019

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL RC.360/2019 on the file of the High Court and upon hearing the arguments of M/S.M.SIVAVARTHANAN, Advocate for the petitioner, the court made the following order:-

In view of the settlement of the entire cheque amount to the respondent and taking into consideration the affidavit filed by the respondent before this Court agreeing to compound the offence and a petition for compounding having been filed before this Court, this Court is inclined to suspend the sentence of imprisonment imposed in C.A.No.301 of 2017 dated 27.09.2018, on the file of the I Additional District and Sessions Court, Coimbatore confirming the conviction and modifying the sentence made in C.C.No.459 of 2015 dated 13.09.2017 on the file of the learned Judicial Magistrate, Fast Track Court No.I, Coimbatore.

2. The sentence imposed by the Court below vide Judgment made in C.C.No.459 of 2015 dated 13.09.2017 on the file of the learned Judicial Magistrate, Fast Track Court No.I, Coimbatore is hereby suspended, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for a like sum to the satisfaction of the learned Judicial Magistrate, Fast Track Court No.I, Coimbatore.

-sd/-
09/05/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
FAST TRACK COURT NO.I, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE I ADDITIONAL DISTRICT AND
SESSIONS COURT, COIMBATORE.

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

+1C.C. to M/S.M.SIVAVARTHANAN Advocate on payment of necessary charges SR NO.9716

Order

in
CRL MP.5159/2019

in
CRL RC.360/2019

Date :09/05/2019

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