

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.6631 of 2019

IN CRL RC.441/2019

R.MURUGESAN

[REVISION/PETITIONER/RESPONDENT
ACCUSED]

Vs

S.KARTHIKEYAN

[RESPONDENT/REVISION PETITIONER
COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

To suspend order of payment of compensation of Rs.10 lakhs imposed on the petitioner in C.R.P.No.35 of 2017 by the II Additional District and Sessions Judge, Salem by judgment dated 23.10.2018 confirming the conviction and the sentence imposed on the petitioner in STC No.608 of 2016 of on the file of the Judicial Magistrate No.III, Salem by the judgement dated 24.07.2017 and pending disposal of the Crl.R.C.No.441 of 2019.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.B.VASUDEVAN, Advocate for the petitioner, the court made the following order:-

The Criminal Revision Petition has been filed as against the Judgment passed by the learned III Additional District and Sessions Judge, Salem in Crl.R.P.No.35 of 2017 dated 23.10.2018, enhancing the punishment and directing the petitioner to pay compensation of a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the complainant, within three months.

2. Heard the learned counsel for the petitioner.

3. The petitioner had filed Crl.A.No.104 of 2017 against the conviction and sentence imposed in STC No.608 of 2016, on the file of learned Judicial Magistrate III, Salem and in the said appeal, relying upon the Judgment passed in C.R.P.No.35 of 2017, the conviction was confirmed and the petitioner was sentenced to undergo

simple imprisonment for six months and pay a sum of Rs.10,00,000/- (Rupees ten lakhs only) to the complainant towards compensation within a period of three months and in default to undergo simple imprisonment for three months. The petitioner has filed Crl. RC.No.438 of 2019 before this Court and the same has been admitted and the sentence has been suspended subject to following conditions :-

"

(a) The petitioner is directed to deposit a sum of Rs.5,00,000/- (Rupees Five lakhs only) in STC No.608 of 2016 on the file of learned Judicial Magistrate No.III, Salem, within a period of four weeks from the date of receipt of copy of this order.

(b) The petitioner shall execute a bail bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate III, Salem. This bail bond shall be entertained only after the deposit of the money specified in clause (a).

(c) The petitioner shall appear before the learned Judicial Magistrate III, Salem on the first working day of every English Calendar Month at 10.30 am, until further orders.

(d) If the petitioner fails to deposit the amount and execute the bail bond as stipulated in Clause (a) and (b), the order of interim suspension of sentence shall stand cancelled automatically without reference to this Court and the learned Judicial Magistrate III, Salem shall immediately issue non-bailable warrant and secure the petitioner to serve the remaining sentence imposed against the petitioner. "

4. In view of the above order passed by this Court, no separate order is required to be passed in this petition and accordingly, this petition is closed.

-sd/-

09/05/2019

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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 II ADDITIONAL DISTRICT
AND SESSIONS JUDGE, SALEM.

2 THE JUDICIAL MAGISTRATE,
NO.III, SALEM.

3 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]

+1 C.C. to M/S.B.VASUDEVAN Advocate on payment of necessary
charges SR.NO.9680

Order

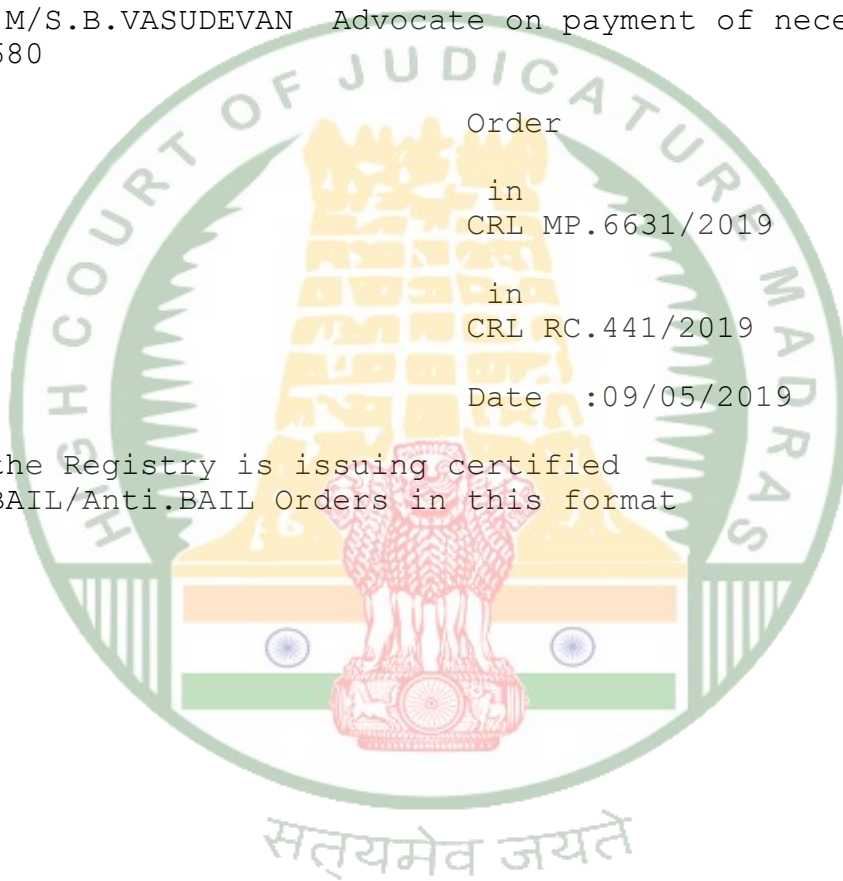
in
CRL MP.6631/2019

in
CRL RC.441/2019

Date :09/05/2019

From 7.2.2001 the Registry is issuing certified
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TA-14/05/2019



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