

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.6553 of 2019

IN CRL.R.C.NO.429 of 2019

ANBUSELVAN

[REVISION PETITIONER]

Vs

SAVITHIRI

[RESPONDENT]

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

(i) To Suspend the sentence of the Petitioner / Appellant imposed by the Judgement Dated 11.09.2018 passed in C.A.No.46 of 2017, by the Learned I Additional District and Sessions Judge, Coimbatore by Modifying the Judgement made in S.T.C.No.80 of 2012 by the Judgement dated 04.02.2017 passed by the Learned Judicial Magistrate Fast Track Court at Magisterial Level-II, at Coimbatore and enlarge the Petitioner on Bail and pass such further or other orders pending disposal of the Crl.R.C.No.429 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.J.ABDUL HADI, Advocate for the petitioner, the court made the following order:-

The Criminal Revision has been filed as against the Judgment passed by learned I Additional District and Sessions Judge, Coimbatore in Crl.A.No.46 of 2017 dated 11.09.2018, modifying the conviction and sentence passed by the learned Judicial Magistrate, Fast Track Court, Magisterial Level II, Coimbatore in STC No.80 of 2012 dated 04.02.2017 and thereby, convicting the petitioner for an offence Under Section 138 of Negotiable Instrument Act, sentencing him to undergo simple imprisonment for six months and directing him to pay Rs.6,00,000/- as compensation to the complainant, within one month from the date of judgment and in default to undergo two months simple imprisonment. Pending revision, the petitioner has filed the above miscellaneous petition seeking suspension of sentence of imprisonment.

2. Heard the learned counsel for the petitioner.

3. The sentence imposed by the Court below in CrI.A No.46 of 2017 dated 11.09.2018 is suspended and the petitioner shall be enlarged on bail, subject to the following conditions :-

(a) The petitioner is directed to deposit a sum of Rs.3,00,000/- (Rupees Three lakhs only) in STC No.80 of 2012 on the file of learned Judicial Magistrate, Fast Track Court, Magisterial Level II, Coimbatore, 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, Fast Track Court, Magisterial Level II, Coimbatore. 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 learned Judicial Magistrate, Fast Track Court, Magisterial Level II, Coimbatore, 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, Fast Track Court, Magisterial Level II, Coimbatore shall immediately issue non-bailable warrant and secure the petitioner to serve the remaining sentence imposed against the petitioner.

-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 I ADDITIONAL DISTRICT
AND SESSIONS JUDGE, COIMBATORE.

2 THE JUDICIAL MAGISTRATE,
FAST TRACK COURT, MAGISTERIAL LEVEL II,
COIMBATORE.

3 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. [FOR INFORMATION]

+1 C.C. to M/S.J.ABDUL HADI Advocate on payment of necessary
charges SR.NO.9590

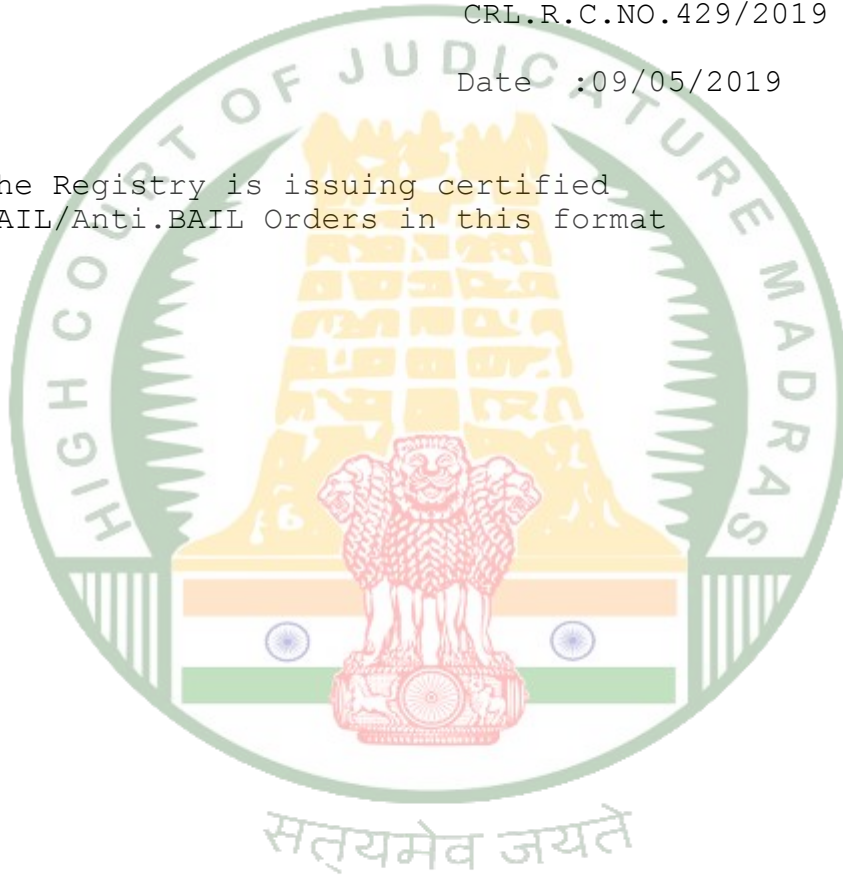
Order

in
CRL MP.6553/2019
in
CRL.R.C.NO.429/2019

Date :09/05/2019

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

TA-14/05/2019



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