

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL MISCELLANEOUS PETITION No.6422 of 2019

IN CRL RC.410/2019

D.MANIMEGALAI [PETITIONER/APPELLANT/ACCUSED]

Vs

R.VASANTHI [RESPONDENT/COMPLAINANT]

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 imposed on the petitioner in C.C.No.783 of 2013 on the file of the Learned Metropolitan Magistrate Fast Track Court III, Saidapet Chennai dated 11.01.2017 confirmed by the Learned XVI Additional Sessions Judge, Chennai in C.A.No.24 of 2017 dated 07.12.2018 pending disposal of the above mentioned Crl.R.C.No.410 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.K.R.RAMESH KUMAR, Advocate for the petitioner, the court made the following order:-

The Criminal Revision petition has been filed as against the Judgment of the learned XVI Additional Sessions Judge, Chennai made in C.A No.24 of 2017 dated 07.12.2018 confirming the judgment of conviction and sentence passed by the learned Metropolitan Magistrate Fast Tract Court III, Saidapet, Chennai in CC No.783 of 2013 for an offence under Section 138 of Negotiable Instrument Act and sentencing him to undergo six months simple Imprisonment and to pay the cheque amount as compensation. Pending Revision, the petitioner has filed the above miscellaneous petition seeking suspension of substantive sentence of imprisonment.

2. Heard the learned counsel for the petitioner.

3. The sentence imposed by the Court below in C.C No.783 of 2013 is suspended, subject to the following conditions :-

(a) The petitioner is directed to deposit a sum of Rs.75,000/- (Rupees Seventy five thousand only) in C.C No.783 of 2013 on the file of learned Metropolitan Magistrate Fast Tract Court III, Saidapet, Chennai, within a period of two 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 Metropolitan Magistrate Fast Tract Court III, Saidapet, Chennai. 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 Metropolitan Magistrate Fast Tract Court III, Saidapet, Chennai 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 Metropolitan Magistrate Fast Tract Court III, Saidapet, Chennai, shall immediately issue non-bailable warrant and secure the petitioner to serve the remaining sentence imposed against the petitioner.

-sd/-
08/05/2019

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

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सत्यमेव जयते

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

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TO

1 THE XVI ADDITIONAL SESSIONS
JUDGE, CHENNAI.

2 THE METROPOLITAN MAGISTRATE,
FAST TRACK COURT III, SAIDAPET, CHENNAI.

3 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

+1 C.C. to M/S.K.R.RAMESH KUMAR Advocate on payment of necessary charges SR.NO.9246

Order

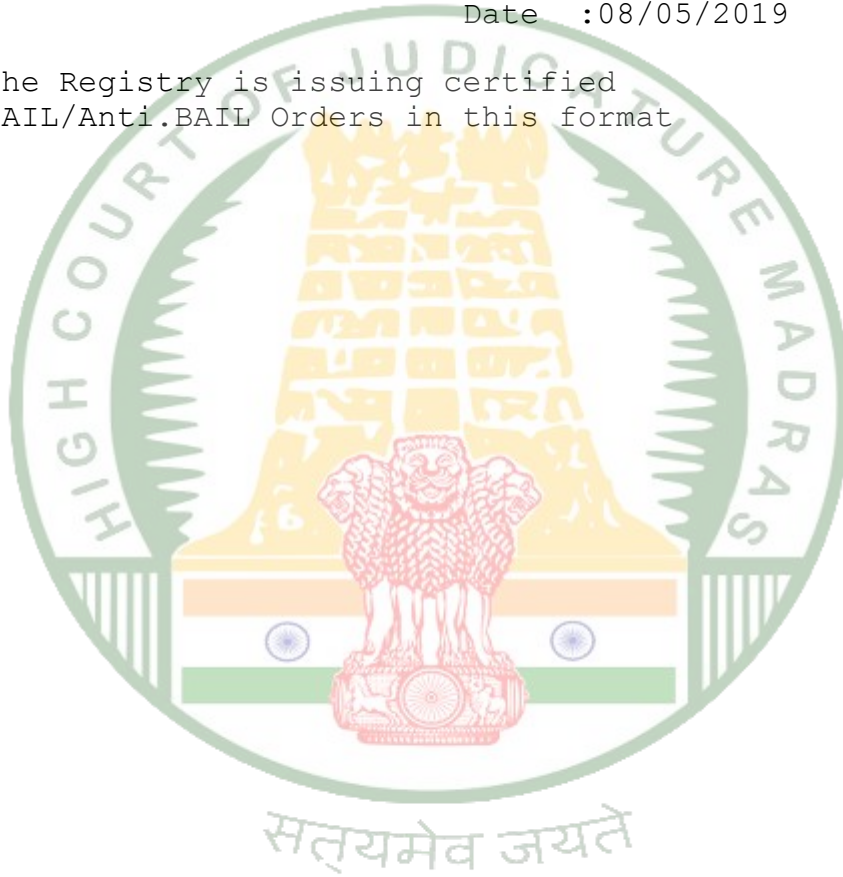
in
CRL MP.6422/2019

in
CRL RC.410/2019

Date :08/05/2019

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TA-10/05/2019



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