

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.6449 of 2019

in CRL.R.C.No.416 of 2019

S.ARUL PRAKASAM

[PETITIONER]

Vs

M.APPADURAI

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL.R.C.No.416 of 2019 on the file of the High Court, the High Court will be pleased to enlarge the petitioner on bail by suspending the execution of sentence and conviction made in Crl.A.No.24 of 2017 dated 02.11.2018 by the Learned Principal Sessions Judge, Thiruvallur District confirming the Judgment passed by the Learned Judicial Magistrate, Fast track (Magisterial Level), Ambattur, Chennai in S.T.C.No.93 of 2016 dated 31.01.2017 pending disposal of the above CRL.R.C.No.416 of 2019.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL.R.C.No.416 of 2019 on the file of the High Court and upon hearing the arguments of M/S.C.V.KUMAR, 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 Principal Sessions Judge, Thiruvallur made in Crl.A.No.24 of 2017 dated 02.11.2018, confirming the judgment of conviction and sentence passed by the learned Judicial Magistrate, Fast Track (Magisterial Level), Ambattur in STC No.93 of 2016 dated 31.01.2017, for an offence under section 138 of the Negotiable Instrument Act to undergo simple imprisonment for five months and directed to pay cheque amount of Rs.12,00,000/- as compensation to the complainant within one month and in default to undergo further simple imprisonment for a period of one month. 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 STC No.93 of 2016 is suspended, subject to the following conditions :-

(a) The petitioner is directed to deposit a sum of Rs.6,00,000/- (Rupees Six lakh only) in STC No.93 of 2016 on the file of learned Judicial Magistrate, Fast Track (Magisterial Level), Ambattur, Chennai, 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 (Magisterial Level), Ambattur, 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 learned Judicial Magistrate, Fast Track (Magisterial Level), Ambattur, Chennai on the first working day of the 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 (Magisterial Level), Ambattur, 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

TRUE COPY

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

TO

1 THE JUDICIAL MAGISTRATE,
FAST TRACK (MAGISTERIAL LEVEL),
AMBATTUR, THIRUVALLUR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE PRINCIPAL SESSIONS JUDGE
TIRUVALLUR

+1 C.C. to M/S.C.V.KUMAR Advocate on payment of necessary
charges SR.NO.9746

Order

in

CRL MP.6449/2019

in

CRL.R.C.No.416/2019

Date :08/05/2019

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

cm 15/05/2019



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