

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.6588 of 2019

IN CRL.R.C.NO.435 of 2019

S.DHANDAPANI

[PETITIONER]

Vs

R.THIRUPATHI

[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 imposed in C.A.No.112 of 2019 on the file of the III Additional Sessions Judge, Salem confirming the Judgment in S.T.C. No.469 of 2015 on the file of the Judicial Magistrate No.IV, Salem dated 20.06.2018 and grant Bail to the petitioner/Revision Petitioner pending disposal of the main Crl.R.C.NO.435 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.C.K.M.APPAJI, 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 Sessions Judge, Salem in Crl.A.No.112 of 2018 dated 18.02.2019, confirming the judgment passed by the learned Judicial Magistrate No.IV, Salem, made in S.T.C.No.469 of 2015 dated 20.06.2018, for the offence under Section 138 of Negotiable Instruments Act and sentencing him to undergo one year simple imprisonment and to pay a compensation of Rs.3,00,000/- (Rupees three lakhs only) to the complainant and in default to undergo 3 months simple imprisonment. 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 S.T.C.No.469 of 2015 dated 20.06.2018, 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.1,50,000/- (Rupees one lakhs fifty thousand only) in S.T.C.No.469 of 2015 dated 20.06.2018, on the file of learned Judicial Magistrate No.IV, Salem, 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 Judicial Magistrate No.IV, 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 learned Judicial Magistrate No.IV, 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 No.IV, Salem, 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

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

TO

1 THE III ADDITIONAL SESSIONS
JUDGE, SALEM.

2 THE JUDICIAL MAGISTRATE,
NO.IV, SALEM.

3 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]

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C.C. to M/S.C.K.M.APPAJI Advocate on payment of necessary charges

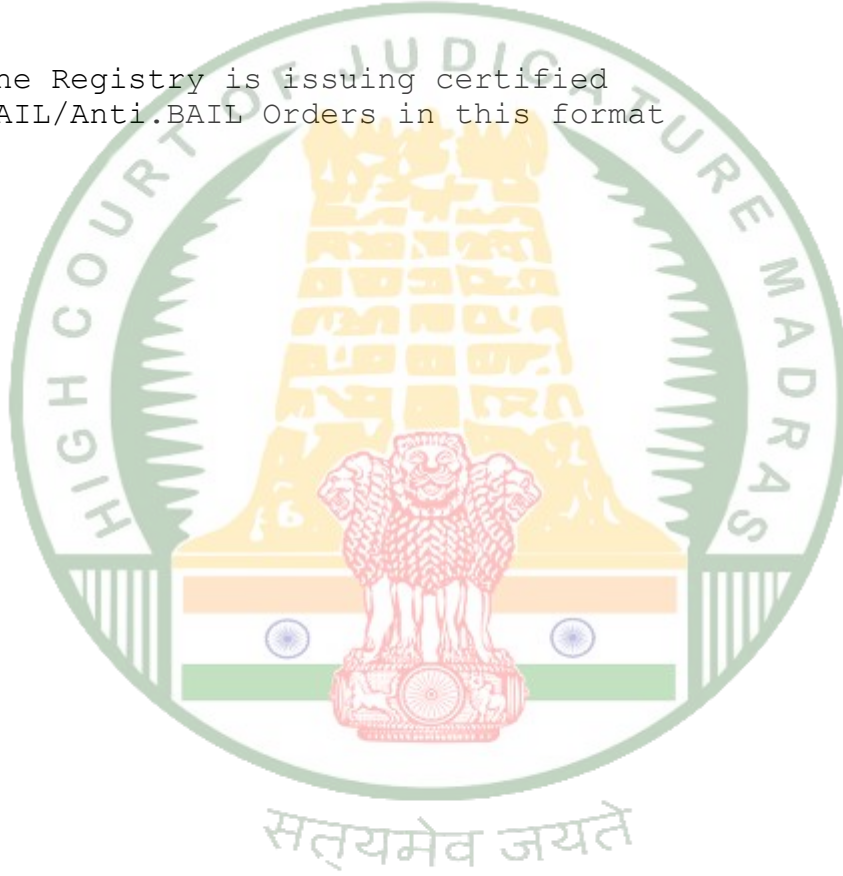
Order

in
CRL MP.6588/2019
in
CRL.R.C.NO.435/2019

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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