

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.6566 of 2019

and CrI.RC.No.432 of 2019

V.SUDHAKARAN

[PETITIONER]

Vs

M.RAJAA

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.432 of 2019 on the file of the High Court, the High Court will be pleased to SUSPEND THE SENTENCE made in STC No.14 of 2017 order dated 24.04.2018 before the Learned FAST TRACK COURT Judicial Magistrate II at Poonamallee which was confirmed the sentence by the learned II Additional District and Sessions Judge, Thiruvallur at Poonamallee dated 23/04/2019 in crl.A.No.77 of 2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CrI.Revision Case No.432 of 2019 on the file of the High Court and upon hearing the arguments of M/S.P.KUMARESAN, Advocate for the petitioner the court made the following order:-

The Criminal Revision has been filed as against the Judgment passed by the learned Additional District and Sessions Judge, Thiruvallur in CrI.A.No.77 of 2018 dated 23.04.2018, confirming the conviction and sentence passed by the learned Judicial Magistrate, Fast Track Court II, Poonamallee in STC No.14 of 2017 dated 24.04.2018, for an offence Under Section 138 of Negotiable Instrument Act and sentencing him to undergo 12 months simple imprisonment and also directed to pay Rs.15,00,000/- (Rupees Fifteen thousand only) as compensation under Section 357(3) Cr.PC to the complainant within 4 months time in default to undergo further four weeks 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 STC No.14 of 2017 dated 24.04.2018 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.7,50,000/- (Rupees Seven lakhs fifty thousand only) in STC No.14 of 2017 on the file of learned Judicial Magistrate, Fast Track Court II, Poonamallee, within a period of six 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 II, Poonamallee. 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, Fast Track Court II, Poonamallee, 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 II, Poonamallee, 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 JUDICIAL MAGISTRATE,
FAST TRACK COURT II, POONAMALLEE

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR (FOR INFORMATION)

3 THE ADDITIONAL DISTRICT AND
SESSIONS JUDGE, THIRUVALLUR

+1 C.C. to M/S.P.KUMARESAN Advocate on payment of necessary
charges Sr.9467

Order

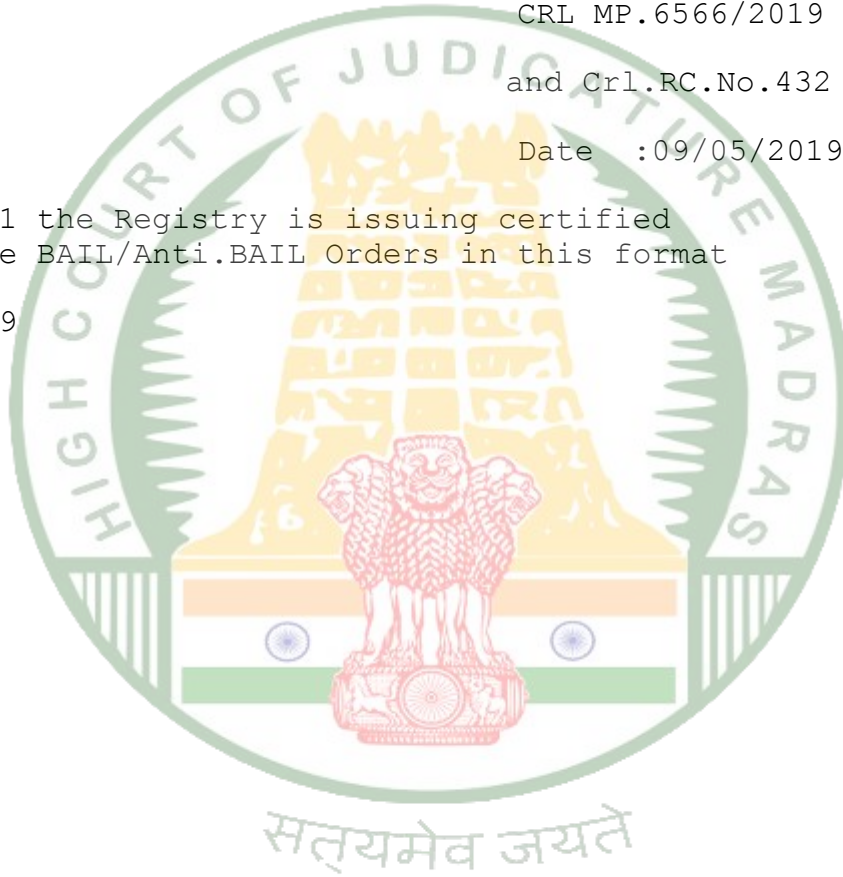
in
CRL MP.6566/2019

and Crl.RC.No.432 of 2019

Date :09/05/2019

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

rvr 15/05/2019



WEB COPY