

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Eighth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION NOS.7480 & 7483 OF 2019

IN CRL RC.552/2019

MURUGANANTHAM

[PETITIONER / APPELLANT /
SOLE ACCUSED]

Vs

DURAI RANGAN

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL RC.552/2019 on the file of the High Court, the High Court will be pleased to

[i] suspend the sentence of imprisonment passed in S.T.C. No.227/2015 on the file of Judicial Magistrate No.1, Cuddalore dated 26.12.2017 confirmed in CA No.3 of 2018 on the file of I Additional Sessions Judge, Cuddalore dated 29.11.2018 and enlarge him on bail pending disposal of CRL.RC.NO.552 OF 2019 [IN CRL.MP.NO.7480 OF 2019]

[ii] exempt him from surrendering before the Trial Court in S.T.C.No.227 of 2015 on the file of the Learned Judicial Magistrate No.1, Cuddalore, in CRL.RC.NO.552 OF 2019 [IN CRL.MP.NO.7483 OF 2019]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL RC.552/2019 on the file of the High Court and upon hearing the arguments of M/S.M.G.UDAYA SHANKAR, Advocate for the petitioner, the court made the following order:-

The petitioner was convicted in STC.No.227 of 2015 on 26.12.2017 under Section 138 of the Negotiable Instruments Act, 1881, and his conviction was confirmed by the Sessions Court in C.A.No.3 of 2018 on 29.11.2018. Challenging the orders passed by the Courts below, the petitioner has preferred the present Criminal Revision and Crl.MP.No.7480 of 2019 seeking suspension of sentence and bail.

2. The learned counsel for the petitioner submitted that the petitioner is willing to deposit the cheque amount of Rs.4,50,000/- before the Trial Court.

3. Accepting his submission, the suspension of sentence and bail is granted to the petitioner on the following conditions:

(a) The petitioner shall deposit the cheque amount of Rs.4,50,000/- before the Trial Court within a period of two weeks from the date of receipt of a copy of this order.

(b) On such deposit, the Trial Court shall re-deposit the amount in a Fixed Deposit account in any nationalized bank so that the amount with interest can be disbursed either to the complainant or to the accused, depending upon the outcome of this revision petition.

(c) The petitioner shall surrender before the Trial Court within a period of four weeks from the date of receipt of a copy of this order and on such surrender, the petitioner is ordered to be released on bail on he executing a bond for a sum of Rs.10,000/-(Rupees ten thousand only), with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the Judicial Magistrate-I, Cuddalore.

(d) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Judicial Magistrate-I, Cuddalore, may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(e) The petitioner shall appear before the Trial Court on the first working day of every month until disposal of the revision petition and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

(f) If the petitioner fails to deposit the said sum of Rs.4,50,000/- as laid down in the conditions above, it is open to the Trial Court to take the petitioner into custody.

In view of the above, Crl.M.P.No.7483 of 2019 seeking to exempt the petitioner from surrendering before the Trial Court is dismissed.

-sd/-
28/06/2019

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,
NO.I, CUDDALORE.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE 1ST ADDITIONAL DISTRICT
AND SESSIONS JUDGE, CUDDALORE.

+1C.C. to M/S.M.G.UDAYA SHANKAR Advocate on payment of
necessary charges SR NO.12941

Order

in
CRL MP.7480 & 7483/2019

in
CRL RC.552/2019

Date :28/06/2019

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

MK:01/07/2019