

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Tuesday, the Twenty Third day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.7911 of 2019

IN CRL A.352/2019

S.GEETHA

[ PETITIONER ]

Vs

A.MOHAN

[ RESPONDENT ]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.693/2019 on the file of the High Court, the High Court will be pleased to suspend the sentence of imprisonment imposed in the Judgment dated 11.04.2019 made in C.A.No.105 of 2017 on the file of the Learned II Additional District and Sessions Judge, Salem reversing the Judgment dt.23.08.2017 made in STC No.872 of 2015 on the file of the learned Judicial Magistrate No.5, Salem and enlarge the petitioner on bail pending disposal of the above criminal Revision petition. [CRL.MP.NO.7911/2019]

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

It is seen that the petitioner was acquitted by the trial Court for the offence under Section 138 of the Negotiable Instruments Act, which has been reversed by the Sessions Court, challenging which, the petitioner has filed the present revision petition.

2. Heard the learned counsel appearing for the petitioner.

3. The petitioner has raised substantial grounds in the revision petition which require detailed appraisal. Further, the revision petition is not likely to be taken up in the near future. In such view of the matter, this Court is of the view that the petitioner is entitled to the relief of suspension of sentence.

4. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is ordered to be released on bail on the following conditions:

(i) the petitioner shall appear before the trial Court and execute 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 No.5, Salem.

(ii) the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Judicial Magistrate No.5, Salem, may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(iii) the petitioner shall appear before the trial Court on the first working day of every month until the disposal of the revision petition and if she is not able to appear before the trial Court on any day, she 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 her absence, as directed by the trial Court.

Accordingly, this Criminal Miscellaneous Petition is ordered.

-sd/-

23/07/2019

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.5, SALEM

2 THE CHIEF JUDICIAL MAGISTRATE  
SALEM[FOR INFORMATION]

+1 C.C. to M/S.RAJESH V. Advocate on payment of necessary charges SR.NO. 15139

Order

in  
CRL MP.7911/2019

in  
CRL A.352/2019

Date :23/07/2019

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

RD 27/07/2019

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