

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Third day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.8524 of 2019

IN CRL RC.1526/2018

A.PANNEERSELVAM

[PETITIONER / APPELLANT / ACCUSED]

Vs

B.SASIDHARAN

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to relax the condition imposed by this Honourable Court in the above Crl.R.C.No.1526 of 2018 ordered dated on 02.01.2019 to appear before the Fast Track Court, Tiruchengode on 1st working day of every month until further orders

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.M.ABDUL RAZACK, Advocate for the petitioner, the court made the following order:-

The petitioner was convicted and sentenced by the Trial Court for the offence under Section 138 of the Negotiable Instruments Act, 1881. His conviction and sentence was confirmed by the Appellate Court. Challenging the same, the petitioner has filed Crl.RC.No.1526 of 2018 and Crl.MP.No.17918 of 2018 seeking suspension of sentence. This Court, by order dated 02.01.2019 in Crl.MP.No.17918 of 2018 in Crl.RC.No.1526 of 2018, suspended the sentence and released the petitioner on bail on certain conditions, one of which, is that the petitioner should report before the Trial Court on the first working day of every English calender month at 10.30 a.m. until further orders. For modifying the above said condition, the petitioner has filed the present Criminal Miscellaneous Petition.

2. Heard Mr.M.Abdul Razack, the learned counsel for the petitioner, who submitted that the Trial Court is about 300 km away from the residence of the petitioner and therefore, the said condition is causing great hardship to the petitioner.

3. In the opinion of this Court, the petitioner, who has been released on bail should appear before the Trial Court atleast once in a month and that cannot be modified. However, 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.

With the above observation, this Criminal Miscellaneous Petition is dismissed.

-sd/-
03/07/2019

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,
FAST TRACK COURT, THIRUCHENGODE.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

3 THE SESSIONS
FAST TRACK MAHILA JUDGE,
NAMAKKAL.

+1C.C. to M/S.M.ABDUL RAZACK Advocate on payment of necessary charges SR NO.13311

Order

in
CRL MP.8524/2019

in
CRL RC.1526/2018

Date :03/07/2019

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MK:09/07/2019