

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Eighth day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.11102 of 2019

IN CRL.RC.NO.778 OF 2019

V.S.SRINIVASAN

[PETITIONER]

Vs

V.L.SOUNDARARAJAN

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.778/2019 on the file of the High Court, the High Court will be pleased to Suspend the Sentence imposed in the order of conviction dated 13.06.2019 in C.A.No.05 of 2018 on the file of the Principal Sessions Judge, Namakkal against reversing of the order of acquittal dated 12.01.2018 made in S.T.C. No.212 of 2017 on the file of the Judicial Magistrate (Fast Track Court)Thiruchengode, by appreciating the above stated facts and circumstances pending Crl.Revision.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.778/2019 on the file of the High Court and upon hearing the arguments of M/S.GURUPRASAD Advocate for the petitioner the court made the following order:-

The petitioner was acquitted by the trial Court for the offence under Section 138 of the Negotiable Instruments Act, which has been convicted by the Appellate Court on the appeal filed by the complainant. Challenging the conviction and sentence, the petitioner has filed the present revision petition and criminal miscellaneous petition seeking suspension of sentence.

2. 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.

3. 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 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 (Fast Track Court), Thiruchengode.

(ii) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the the Judicial Magistrate (Fast Track Court), Thiruchengode, 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 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.

Accordingly, this Criminal Miscellaneous Petition is ordered.

-sd/-

08/08/2019

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 PRINCIPAL SESSIONS JUDGE
NAMAKKAL

3 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

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

WEB COPY

Order

in

CRL MP.11102/2019

IN CRL.RC.NO.778 OF 2019

Date : 08/08/2019

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RD 14/08/2019

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