

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Eighth day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.12205 & 12207 of 2019

IN CRL RC.828/2019

T.RANGANATHAN

[PETITIONER]

Vs

K.SRINIVASAN

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.828/2019 on the file of the High Court, the High Court will be pleased to

[I]enlarge the petitioner on bail by suspending the conviction and sentence made in Crl.Appeal 176 of 2019 dated 20.08.2019 passed by the learned VIth Additional Sessions Judge, CCC, Chennai in CC.No.2457 of 2016 on the file of the learned M.M, FTC-III, Saidapet, Chennai pending disposal of the above criminal revision petition.[CRL.MP.NO.12205/2019]

[II]exempt the petitioner from surrendering before the learned Metropolitan Magistrate, Fast Track Court-III, Saidapet, Chennai in pursuance of the Judgement of conviction passed in Crl.Appeal bearing No.176 of 2018 dated 20.08.2019 on the file of the Vith Additional Sessions Judge, City civil court, Chennai, pending disposal of the above criminal revision petition.[CRL.MP.NO.12207/2019]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No.828/2019 on the file of the High Court and upon hearing the arguments of M/S.V.NANDHAKUMAR, Advocate for the petitioner the court made the following order:-

The petitioner was acquitted in CC.No.2457 of 2016 on 08.03.2018 for the offence under Section 138 of the Negotiable Instruments Act, 1881 on the file of the learned Metropolitan Magistrate, Fast Track Court III, Saidapet, Chennai. On appeal by the complainant, the VI Additional Sessions Judge, City Civil Court, Chennai reversed the acquittal in C.A.No.176 of 2018 on 20.08.2019 and has convicted and sentenced the petitioner to undergo one year simple imprisonment and pay the cheque amount as compensation. Challenging the order passed by the Sessions Court, the petitioner has filed the above criminal revision petition under Sections 397 and 401 Cr.P.C.

2. Considering the facts and circumstances of the case and also considering the submission of the learned counsel for the petitioner that there are several infirmities in the prosecution case and that there are arguable points involved in the revision petition and further, the revision petition is not likely to be taken up for final hearing in the near future, this Court is of the view that the petitioner herein is entitled to the relief of suspension of sentence.

3. Taking into consideration the grounds raised by the petitioner, the reliefs of exemption from surrender before the Sessions Court, suspension of sentence and bail are granted on the following conditions:-

i. the petitioner is ordered to be released on bail on his 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 learned Metropolitan Magistrate, Fast Track Court III, Saidapet, Chennai;

ii. the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity;

iii. the petitioner shall appear before the trial Court at 10.30 a.m. 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.

-sd/-

28/08/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY
WEB COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE,
FAST TRACK COURT NO.III,
SAIDAPET,CHENNAI

2 THE VI ADDITIONAL SESSIONS
JUDGE, CITY CIVIL COURT,CHENNAI

3 THE CHIEF METROPOLITAN
MAGISTRATE,EGMORE[FOR INFORMATION]

+2 C.C. to M/S.V.NANDHAKUMAR Advocate on payment of necessary
charges SR.NO. 18030,18031

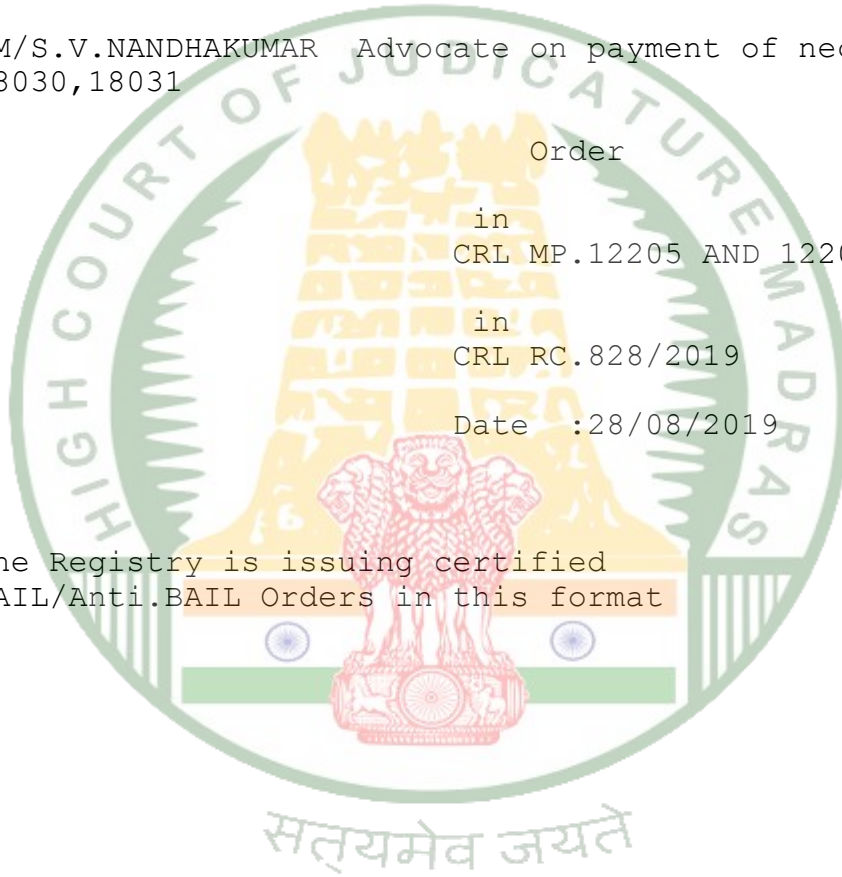
Order

in
CRL MP.12205 AND 12207/2019

in
CRL RC.828/2019

Date :28/08/2019

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
RD 30/08/2019



सत्यमेव जयते

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