



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twenty Ninth day of March Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP(MD) No.3004 of 2019

IN

CRL RC(MD) No.198 of 2019

DHANAPALRAJ,

... PETITIONER/PETITIONER

Vs

SIVANESASELVAN

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence imposed on the petitioner by the Learned III Additional District and Sessions Judge, Thanjavur at Pattukottai in Crl.A.No.73/2018 dated 31/01/2019 confirming the order passed by the Learned Judicial Magistrate at Pattukottai in STC.No.53/2014 on 04/07/2018 pending disposal of the above Crl.R.C.

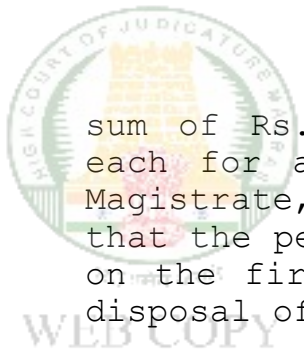
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.K.MAHENDRAN, Advocate for the petitioner while admitting CRL RC, the court made the following order:-

The petitioner was convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo one year simple imprisonment and compensation of Rs.7,00,000/- in default to undergo two months simple imprisonment, by judgment dated 28.11.2018 in C.A.No.15 of 2018 by the learned III Additional District and Sessions Judge, Thanjavur. Hence, the petitioner seeks suspension of sentence.

2.Heard the learned counsel appearing for the petitioner.

3.Having regard to the fact 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 and also considering the period of incarceration, I am of the considered opinion that the petitioner is entitled for the relief of suspension of sentence.

4.Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is directed to be enlarged on bail, on condition that the petitioner shall execute a bond for a



sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Fast Track Court, Pattukottai, and on further condition that the petitioner shall appear before the said Court at 10.30 a.m. on the first working day of every English Calendar month, pending disposal of the revision petition.

sd/-
29/03/2019

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE III ADDITIONAL DISTRICT AND SESSION JUDGE,
THANJAVUR AT PATTUKOTTAI.
- 2 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.
- 3 THE JUDICIAL MAGISTRATE ,
FAST TRACK COURT, PATTUKOTTAI.
- 4 THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR AT KUMBAKONAM.

+1cc TO Mr.K.MAHENDRAN, Advocate Sr.No.58007

PS/VR/SAR-4/03.04.2019/2P/6C

ORDER
IN
CRL MP (MD) No.3004 of 2019
IN
CRL RC (MD) No.198 of 2019
Date :29/03/2019