

**BAIL SLIP**

The Petitioner/Accused namely, Selva S/o.I.T.Sundarapandian, was directed to be released on bail as per order of this court dt.11.07.2010 in MP(MD)No.2 of 2011 in CrI.R.C.(MD)No.507 of 2011.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN****CrI.R.C(MD) .No.507 of 2011**

Selva

... Petitioner

Vs

S. Boominathan

... Respondent

PRAYER: Petition filed under Section 397 r/w 401 Code of Criminal Procedure, to call for the records pertaining to the Judgment in C.A.No.95 of 2009 on the file of the I Additional District Sessions Judge, Thirunelveli, dated 09.04.2010 confirming the conviction by the Judgment in C.C.No.270 of 2005, on the file of the Judicial Magistrate No.4, Tirunelveli dated 15.10.2009 and set aside the same.

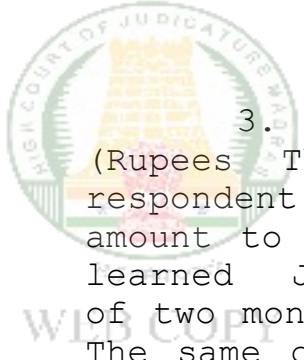
For Petitioner : Mr.T. A. Ebenezer

For Respondent : Mr.V. Kannan

ORDER

The petitioner herein had suffered conviction for the offence under Section 138 of Negotiable Instruments Act and was also sentenced by the Courts below.

2. When the matter came up for hearing, the learned counsel appearing for the petitioner states that he would not question the finding of the guilt and he would be satisfied, if leniency is shown in the matter of sentence. I find the said request to be reasonable. Therefore, while sustaining the finding of conviction, sentence and fine imposed on the petitioner are set aside.



3. The petitioner is directed to pay a sum of Rs.35,000/- (Rupees Thirty Five Thousand only) as compensation to the respondent / complainant. The petitioner shall deposit the said amount to the credit of C.C.No.270 of 2005, on the file of the learned Judicial Magistrate No.IV, Tirunelveli, within a period of two months from the date of receipt of a copy of this order. The same can be withdrawn by the respondent / complainant. If the petitioner fails to do so, the sentence and fine imposed by the Courts below will stand automatically restored.

4. With the above modification, the Criminal Revision Case is partly allowed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

trp

To

1. I Additional District Sessions Judge,
Thirunelveli.
2. The Judicial Magistrate No.IV,
Thirunelveli.
3. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC to Mr.T.A.Ebenezer, Advocate in Sr.No.68405

Cr1.R.C(MD) .No.507 of 2011

12.06.2019

KS(01.07.2019) 2 P 6 C