

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2020

CORAM

THE HONOURABLE MR.JUSTICE **M.NIRMAL KUMAR**

CrI.M.P.No.6637 of 2020
in
CRL.R.C.No.955 of 2020

S.Gayathiri

... Petitioner

Vs.

1.V.R.Selvarajulu

2.The State rep.by
The Public Prosecutor,
Coimbatore.

.... Respondents

PRAYER: Criminal Miscellaneous Petition filed under Sections 397(1) of Criminal Procedure Code to suspend the sentence imposed on the petitioner in C.A.No.275 of 2020 on the file of the V Additional District and Session Judge, Coimbatore in C.C.No.303 of 2015 on the file of the Judicial Magistrate FTC @ ML.No.II, Coimbatore pending disposal of the criminal revision petition.

For Petitioner : Mr.S.Venkatesh

For 1st Respondent : Mr.B.Mohan

ORDER

Today the matter has been listed under the caption 'For Being Mentioned' at the instance of the learned counsel for the 1st respondent.

2.The learned counsel for the 1st respondent submitted that while granting suspension of the sentence to the petitioner in Crl.M.P.No.6637 of 2020 in Crl.R.C.No.955 of 2020, this Court directed the petitioner to deposit a sum of Rs.8,00,000/- (Rupees eight lakhs only) to the credit of C.C.No.303 of 2015 on the file of the learned Judicial Magistrate, Fast Track Court @ Magistrate Level-II, Coimbatore on or before 19.01.2021 and the deposited amount would be withdrawn subject to the outcome of the Criminal Revision. In the order dated 16.12.2020, the withdrawal of the deposited amount subject to the final outcome of the Criminal Revision is not found. Hence, he prayed to necessary correction in the order.

3.The learned counsel for the petitioner agrees for the submission made by the learned counsel for the 1st respondent.

4.It is seen that due to typographical error, the withdrawal of the deposited amount subject to the outcome of the Criminal Revision is not found, hence, the paragraph No.4 in Crl.M.P.No.6637 of 2020 in CRL.R.C.No.955 of 2020 is corrected as follows:-

“In view of the above submission, this Court is inclined to suspend the sentence on condition that the petitioner is directed to deposit a sum of Rs.8,00,000/- (Rupees Eight Lakhs Only) to the credit of C.C.No.303 of 2015 before the learned Judicial Magistrate, Fast Track Court @ Magisterial Level-II, Coimbatore on or before 19.01.2021 and on such deposit, the petitioner is directed to be enlarged on bail on condition to 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 @ Magisterial Level-II, Coimbatore within a period of 7 days from 19.01.2021 and on further condition that the petitioner shall appear before the said Court once in three months at 10.30 a.m. till the disposal of the revision. If the petitioner fails to deposit the amount of Rs.8,00,000/- (Rupees Eight Lakhs Only) by 12.01.2021, the order would stand cancelled automatically. The 1st respondent/complainant is permitted to withdraw the amount of Rs.8,00,000/- (Rupees Eight lakhs Only) on executing a bond and undertaking that the withdrawal is subject to the final outcome of the above Criminal Revision Petition.”

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M.NIRMAL KUMAR, J.

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To

1.The Judicial Magistrate,
Fast Track Court at Magisterial Level-II,
Coimbatore.

2.The V Additional District & Sessions Judge,
Coimbatore.



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