



Bail Slip

R.Ramesh Kumar, S/o.Rangasamy, aged about 35 years Sole Accused was released on bail vide order of this Court dated 22/08/2106 made in Crl.Mp(MD).No.7242 of 2016 in Crl.RC(MD).No.571/2016.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.R.C.(MD)No.571 of 2016

R.Rameshkumar ... Petitioner/Petitioner/Accused

Vs.

P.Manisekaran ... Respondent/Respondent/Complainant

Prayer: Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C, to set aside the judgment dated 24.02.2016 made in Crl.A.No.8 of 2013 on the file of Principal Sessions Judge, Karur, confirming the judgment made in S.T.C.No.92 of 2012 on the file of Fast Track Court at Magistrate Level, Karur, dated 12.06.2013, convicting the petitioner for the offence under Section 138 of N.I. Act and sentence to undergo three months simple imprisonment in addition to pay a fine sum of Rs.5,000/- in default to undergo simple imprisonment for a period of 30 days.

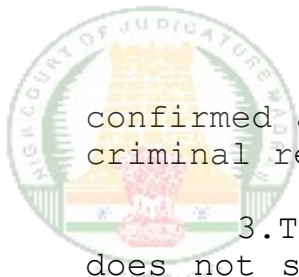
For Petitioner : Ms.Prabha
For Mr.S.Gokul Raj

For Respondent : Mr.K.Suresh

O R D E R

Heard the learned counsel on either side.

2.The respondent filed S.T.C.No.92 of 2012 on the file of the Judicial Magistrate, Fast Track Court at Magistrate Level, Karur, against the petitioner herein under Section 138 of the Negotiable Instrument Act. The case ended in conviction and sentence on 12.06.2013. Questioning the same, the petitioner filed C.A.No.8 of 2013 before the Fast Track Mahilir Court, Sessions Judge, Karur. By judgment dated 24.02.2016, the judgment of the Trial Court was



confirmed and the appeal was dismissed. Challenging the same, this criminal revision case came to be filed.

3.The learned counsel appearing for the revision petitioner does not seriously challenge the finding of guilt. She only wants modification in the matter of sentence as the petitioner is ready to pay the cheque amount of Rs.3,00,000/- within a period four months from the date of receipt of a copy of this order.

4.In view of the same, even while confirming the conviction, the sentence imposed on the petitioner is modified as follows:-

(i) The accused is directed to deposit the cheque amount of Rs.3,00,000/- (Rupees Three Lakhs Only) to the credit of S.T.C.No.92 of 2012 on the file of the Judicial Magistrate, Fast Track Court at Magisterial Level, Karur, within a period of four months from the date of receipt of a copy of this order.

(ii) It is open to the complainant to withdraw the said amount without notice to the accused.

(iii) If the accused fails to deposit the cheque amount within the period stipulated above, the sentence imposed and confirmed by the Sessions Court will be restored automatically.

5.With this modification in the matter of sentence, this criminal revision case is partly allowed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Ias

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To:

1.The Sessions Judge, Fast Track Mahila Court,
Karur.



2.The Judicial Magistrate,
Fast Track Court at Magisterial Level,
Karur.

+1 CC to M/s.S.GOKUL RAJ, Advocate (SR-24064[F] dated 04/12/2020)

Crl.R.C. (MD)No.571 of 2016

03.12.2020

SE (CO)

NR (11/12/2020) 3P : 4C