



Bail Slip

The Petitioner/Accused namely K.Ganesh, was released on bail as per the order of this Court dated 24.11.2016, made in Crl.MP(MD) No.11571/2016 in Crl.RC(MD).NO.797/2016.

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.797 of 2016

K.Ganesh

... Petitioner

Vs.

K.Nallasamy

... Respondent

Prayer: Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C, to set aside the order dated 13.07.2016 made in Crl.A.No.36 of 2016 on the file of Mahila Court, Karur, in modifying the judgment made in C.C.No.333 of 2014 on the file of Judicial Magistrate/Fast Track Court at Magistrate Level, Karur dated 21.05.2015 convicting the petitioner and sentence to undergo two months simple imprisonment and allow the revision petition.

For Petitioner : Ms.Prabha

For Mr.S.Gokul Raj

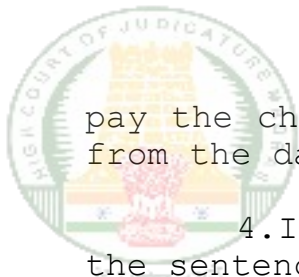
For Respondent : Mr.N.Shanmuga Selvam

O R D E R

Heard the learned counsel on either side.

2.The respondent filed C.C.No.333 of 2014 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 21.05.2015. Questioning the same, the petitioner filed C.A.No.26 of 2016 before the Fast Track Mahilir Court, Sessions Judge, Karur. By judgment dated 13.07.2016, the Appellate Court confirmed the conviction but reduced the sentence from six months simple imprisonment to two months simple imprisonment. Not satisfied with the same, the criminal revision case has been 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.2,00,000/- within a period three 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.2,00,000/- (Rupees Two Lakhs Only) to the credit of C.C.No.333 of 2015 on the file of the Judicial Magistrate, Fast Track Court at Magisterial Level, Karur, within a period of three 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 modified 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,
Mahalir Fast Track Court,
Karur.

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



3.Thro'
The Chief Judicial Magistrate,
Karur.

+1 CC to M/s.S.GOKUL RAJ, Advocate (SR-24065[F] dated 04/12/2020)

CrI.R.C. (MD) No. 797 of 2016

03.12.2020

PM(CO)

NR (11/12/2020) 3P : 5C