



Bail Slip

The Revision Petitioner/Accused viz., Thulasi Doss, S/o.Duraipandian, Male, aged about 54 years/2017 was released on bail vide Court order dt.07.03.2017 made in Crl.MP(MD)No.1917/2017 in Crl.R.C(MD)No.222/2017 on the file of this Court.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.R.C(MD) .No.222 of 2017

Thulasi Doss

... Petitioner/
Appellant/Accused

Vs

Prabhakaran

... Respondent/
Respondent/Complainant

PRAYER: Petition filed under Section 397 r/w 401 of Code of Criminal Procedure, to pass an order revising the order of conviction and sentence imposed on the petitioner by means of a judgment by the Hon'ble Mahalir Fast Track Court, Nagercoil, Kanyakumari District dated 27.09.2016 made in C.A.No.33 of 2011 of directing him to undergo one month simple imprisonment along with Rs.5,000/- fine modifying the judgment of the Trial Court viz., the learned II Additional District Munsif Court, Nagercoil, Kanyakumari District made in STC.No.100 of 2009 dated 15.03.2011 imposing a punishment of three months simple imprisonment along with a fine of Rs.5,000/- forthwith.

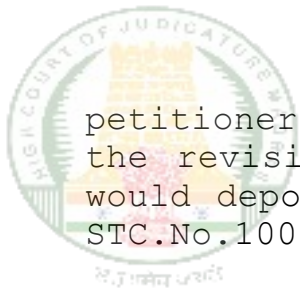
For Petitioners : Mr.S.Palani Velayutham
For Respondent : Mr.A.Balakrishnan

ORDER

Heard the learned counsel on either side.

2.The respondent viz., Prabhakaran filed STC.No.100 of 2009 before the II Additional District Munsif Court, Nagercoil, against the revision petitioner viz., Thulasi Doss for the offence under Section 138 of the Negotiable Instrument Act. The case ended in conviction and sentence. Questioning the same, the petitioner filed C.A.No.33 of 2011 before the Mahalir Fast Track Court, Nagercoil. The Appellate Court while confirming the conviction, reduced the sentence. Challenging the same, this Revision Case came to be filed.

3.The learned counsel appearing for the revision petitioner does not seriously dispute the conviction imposed on the



petitioner, but seeks certain direction to protect the interest of the revision petitioner. The revision petitioner states that he would deposit the cheque amount of Rs.1,00,000/- to the credit of STC.No.100 of 2009 within a period of 2 months.

4.Recording the said undertaking given by the revision petitioner, the conviction imposed on the revision petitioner is confirmed and sentence imposed on him is modified as follows:

A.The petitioner shall deposit a cheque amount of Rs.1,00,000/- to the credit of STC.No.100 of 2009 on the file of the II Additional District Munsif Court, Nagercoil within a period of eight weeks from the date of receipt of a copy of this order. On such deposit, it is open to the complainant to withdraw the same without notice to the revision petitioner. If the petitioner adhere to the said undertaking, the sentence imposed on him by the Court below will not be enforced. If the petitioner fails to deposit the amount in question, the sentence imposed on him will be enforced.

B.If the petitioner deposits the cheque amount as directed above, then the conviction imposed on him will not operate as disqualification and that it will not have any bearing on his service.

5.With this protection to the accused and with the aforesaid direction, the Criminal Revision Case is disposed of.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

rmk

To

1.The Sessions Judge, Mahalir Fast Track Court,
Nagercoil,
Kanyakumari District.

2.The II Additional District Munsif,
Nagercoil,
Kanyakumari District.



Copy to

The Section Officer-2copies

Criminal Section(Records)

Madurai Bench of Madras High Court, Madurai.

+1 cc to Mr.A.Balakrishnan , Advocate SR.No.25384

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10.12.2020

KM (07.01.2021) 3P 6C