



Bail Slip

A.Sureshbabu, S/o.A.P.Arunachalam, Male, aged about 47 years/2017 (Accused), was released on bail vide Court order dated 18.05.2017 made in Crl.MP(MD)3992/2017 in CRL.RC(MD)No.400/2017.

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.400 of 2017

A.Sureshbabu ... Petitioner/Appellant/Accused

Vs

G.Narayanan ... Respondent/Respondent/Complainant

PRAYER: Petition filed under Section 397 r/w 401 of Code of Criminal Procedure, against the judgment passed in STC.No.383 of 2012 on the file of the learned Judicial Magistrate No.2, FTC Level, Madurai on 19.05.2016 which was subsequently confirmed by VI Additional District and Sessions Court, Madurai, in C.A.No.40 of 2016 on 21.12.2016.

For Petitioners : Mr.R.Satish
For Respondent : Mr.C.Ramachandran

ORDER

Heard the learned counsel on either side.

2.The petitioner was prosecuted for the offence under Section 138 of the Negotiable Instrument Act in STC.No.383 of 2012 on the file of the Judicial Magistrate II, Fast Track Court Level, Madurai. The case ended in conviction and sentence. It was confirmed in C.A.No.40 of 2016 on the file of the VI Additional District Sessions Court, Madurai. Challenging the same, this revision case came to be filed.

3.The learned counsel appearing for the petitioner does not seriously challenge the finding of guilt and seeks indulgence only in the matter of sentence. The petitioner undertakes that he will deposit the cheque amount of Rs.10,00,000/- to the credit of STC.No.383 of 2012 within a period of four 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 substantive sentence of imprisonment imposed on the petitioner is modified and the petitioner is directed to deposit a cheque amount of Rs.10,00,000/- to the credit of STC.No.383 of 2012 on the file of the Judicial Magistrate No.II, FTC Level, Madurai, within a period of four months 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 fails to deposit the amount in question, the sentence imposed by the Court below on him will be automatically restored and enforced.

5.The Criminal Revision Case is partly allowed on these terms.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

To

- 1.The Judicial Magistrate No.2, FTC Level, Madurai.
- 2.The Chief Judicial Magistrate, Madurai.
- 3.VI Additional District and Sessions Judge, Madurai.
- 4.The Principal Sessions Judge, Madurai.
- 5.The Superintendent, Central Prison, Madurai.

Copy to: The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.(2)

Crl.R.C(MD) .No.400 of 2017
10.12.2020

MJ(CO)
CS(07.01.2021) 2P 8C