



BAIL SLIP

The Revision Petitioner/accused viz., Saraswathi, W/o. Late.Subramani, aged about 62 years/2017 is released on bail vide Court order dated 23.8.2017 made in Crl MP(MD)No.No.7657 of 2017 in Crl RC(MD)No.673 of 2017.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.R.C. (MD)No.673 of 2017

Saraswathi ... Petitioner /Appellant/Accused

Vs.

P.Selvaraj ... Respondent/Respondent/Complainant

Prayer: Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C, to set aside the judgment made in C.A.No.54 of 2012 by the Additional District and Sessions Court, Palani, dated 06.07.2017 confirming the judgment of conviction and sentence made in S.T.C.No.145 of 2011 by the Fast Track Court (Magisterial Level), Palani, dated 21.06.2012.

For Petitioner : Mr.D.Venkatesh

For Respondent : Mr.J.Sulthan Basha
For M/s.Ajmal Associates.

O R D E R

Heard the learned counsel on either side.

2.The respondent filed S.T.C.No.145 of 2011 on the file of the Fast Track Court (Magisterial Level), Palani, for the offence under Section 138 of the Negotiable Instrument Act. The case ended in conviction and sentence. Questioning the same, the revision petitioner filed C.A.No.54 of 2012 before the Additional District and Sessions Court, Palani. Vide judgment dated 06.07.2017, the appellate Court confirmed the judgment passed by the Trial Magistrate. Challenging the same, this criminal revision came to be filed.

3.When the matter was taken up for hearing, the learned counsel appearing for the revision petitioner submitted that having



regard to the evidence on record, he is not in a position to challenge the finding of guilt. He only wanted some leniency to be shown in the matter of sentence. The petitioner says that she is willing to deposit of the cheque amount of Rs.5,00,000/- within a period six months from the date of the receipt of a copy of this order. The petitioner is a lady. She is a senior citizen. In view of the mitigating circumstances, even while confirming the conviction, the sentence is modified as follows:-

(i) The petitioner is directed to deposit the cheque amount of Rs.5,00,000/- (Rupees Five Lakhs Only) to the credit of S.T.C.No.145 of 2011 on the file of the Fast Track Court (Magisterial Level), Palani, within a period of six 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 petitioner.

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

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

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Additional District and Sessions Judge,
Palani.

2. The Judicial Magistrate,
Fast Track Court (Magisterial Level),
Palani.

<https://hcservices.ecourts.gov.in/hcservices/>



3.-do-Thro The Chief Judicial Magistrate,
Dindigul.

Copy to:

1.The Registrar(Judicial),
Madurai Bench of Madras High Court, Madurai.

2.The Section Officer,
Criminal Section(Records),
Madurai Bench of Madras High Court,
Madurai (2c)

CrI.R.C. (MD) No.673 of 2017
23.12.2020

MJ(CO)
KK(03.02.2021) 3P 7C