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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.M.P.No.10415 of 2021

in Crl.R.C.No.378 of 2021

K.Ekambaram

... Petitioner

Vs.

Dr.Premkumar

... Respondent

PRAYER : Criminal Miscellaneous Petition filed under Section 389(1) of Cr.P.C. to enlarge the petitioner on bail, who has been confined in Sub-Jail, Saidapet, Chennai to undergo the sentence of simple imprisonment of twelve months imposed by the learned Judicial Magistrate, Fast Track Court, Poonamallee in S.T.C.No.73 of 2016 confirmed by the II Additional District and Sessions Judge, Tiruvallur at Poonamallee in C.A.No.81 of 2018 dated 20.12.2019.

For Petitioner : Mr.J.Deliban

For Respondent : Mr.B.Sundarapandiyan

ORDER

The respondent/complainant has filed a complaint against the petitioner/accused under Section 138 of the Negotiable Instruments Act (hereinafter referred to as 'N.I Act') before the learned Judicial Magistrate, Fast Track Court (Magisterial Level No.II) Poonamallee in S.T.C.No.73 of 2016. After due enquiry, the learned Magistrate found that the petitioner is guilty for the offence under Section 138 of N.I.Act and convicted and sentenced him to undergo simple imprisonment for a period of 12 months and also imposed a fine of Rs.10,00,000/- (Rupees Ten Lakhs only) as compensation to the respondent. Aggrieved over the same, the petitioner/accused preferred an appeal in Crl.A.No.81 of 2018 before the learned II Additional District and Sessions Judge, Thiruvallur at Poonamallee and the same was dismissed on 20.12.2019. Challenging the petitioner filed the present Criminal Revision Case.



2.This miscellaneous petition has been filed to enlarge the petitioner on bail, who has been confined in Sub Jail, Saidapet, Chennai.

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3. Heard the learned counsel for the petitioner and the learned counsel for the respondent and also perused the materials available on record.

4.Considering the submissions made by the learned counsel on either side and also the petitioner is ready to deposit the compensation amount, this Court is inclined to grant bail to the petitioner on the following conditions :

(i) The petitioner is directed to be enlarged on bail on condition that the petitioner shall deposit a sum of Rs.10,00,000/- (Rupees Ten Lakhs Only) to the credit of S.T.C.No.73 of 2016 on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level No.II) Poonamallee on or before 25.10.2021.

5.Registry is directed to list Criminal Revision Case on 25.10.2021 ''for final disposal''.

-sd/-

07/10/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
FAST TRACK COURT (MAGISTERIAL LEVEL NO.II),
POONAMALLEE.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR DISTRICT. [FOR INFORMATION]

3 THE II ADDITIONAL DISTRICT AND
SESSIONS JUDGE, TIRUVALLUR AT POONAMALLEE.



4 THE OFFICER INCHARGE,
SUB JAIL, SAIDAPET, CHENNAI.

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+1C.C. to MR.J.DELIBAN Advocate on payment of necessary charges
SR.NO.11178

Order
in
CRL MP.10415/2021
in
CRL.R.C.No.378/2021

Date :07/10/2021

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

RW 08/10/2021