



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Sixteenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL MISCELLANEOUS PETITION No.10621 of 2021

IN CRL.R.C.No.648 of 2021

G.PETER

[PETITIONER/ACCUSED]

Vs

S.ANAND

[RESPONDENT/COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to suspend the sentence confirmed by the Impugned Order dt.04.03.2020 on the file of Hon'ble VI Additional Sessions Court Chennai in Crl.A.No.190/2019 while dismissing the appeal and consequentially confirming the Judgment dt 08.04.2019 of the Hon'ble Fast Track Metropolitan Magistrate Court No.IV, GT,Chennai in C.C.No.250/2016 under section 138 r/w 142 of Negotiable Instruments Act sentencing the petitioner to undergo simple imprisonment for 10 months and to pay a fine of Rs.8,40,000/- (Rupees Eight Lakhs Forty Thousand Only) within one months or in default undergo a further sentence of two months simple imprisonment, and consequentially enlarge the petitioner on bail pending disposal of the main CRL.R.C.No.648 of 2021.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S. A.THIRUMARAN, Advocate for the Petitioner the court made the following order:-

This Criminal Miscellaneous petition has been filed to suspend the sentence passed by an order dated 04.03.2020 in Crl.A.No.190 of 2019 on the file of the learned VI Additional Sessions Court, Chennai, confirming the judgment dated 08.04.2019 passed in C.C.250 of 2016 on the file of the Fast Track Metropolitan Magistrate Court No.IV, George Town, Chennai.



2. Learned counsel for the petitioner would submit that this Court vide order dated 22.10.2021, directed the petitioner to deposit 50% of the cheque amount ie., Rs.4,20,000/- to the credit of C.C.No.250 of 2016 on the file of the Metropolitan Magistrate, Fast Track Court No.IV, George Town, Chennai. He would further submit that the conditional amount has been deposited to the credit of the concerned Court on 26.10.2021 and the copy of the receipt has also been filed before the Registry.

3. Heard the learned counsel for the petitioner.

4. It is seen that the petitioner has deposited the abovesaid amount before the concerned Court and he has also filed a copy of the receipt before the Registry vide USR.No.8433. This Court is of the view, that the substantive sentence of imprisonment alone can be suspended on certain conditions. Accordingly, till the disposal of the Criminal Revision, the substantive sentence of imprisonment alone is suspended and the petitioner is ordered to be enlarged on bail, on the following conditions:-

i.The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties, each for a like sum to the satisfaction of the Metropolitan Magistrate, Fast Track Court No.IV, George Town, Chennai.

ii.The petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until further orders.

5. This Criminal Miscellaneous Petition stands ordered accordingly.

-sd/-

16/11/2021

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

TRUE COPY

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

TO

1 THE VI ADDITIONAL SESSIONS
COURT AT CHENNAI.



2 THE FAST TRACK METROPOLITAN
MAGISTRATE COURT NO.IV,
GEORGE TOWN, CHENNAI.

3 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

4 THE OFFICER INCHARGE,
SUB JAIL, SAIDAPET.

5 THE SECTION OFFICER,
CRIMINAL SECTION,
HIGH COURT, MADRAS.

+1 C.C. to M/S. A.THIRUMARAN Advocate on payment of necessary
charges SR.NO.12816

Order

in
CRL MP.10621/2021
in
CRL RC.648/2021

Date :16/11/2021

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

RW 16/11/2021