



Crl.M.P.No.3116 of 2022

in

Crl.M.P.No.697 of 2022

in

Crl.R.C.No.72 of 2022

P.VELMURUGAN,J.

This miscellaneous petition has been filed to modify the condition imposed in Crl.M.P.No.697 of 2022 in Crl.R.C.No.72 of 2022 dated 31.01.2022.

2. The petitioner is the accused and the respondent is the complainant. The respondent filed a complaint under Section 200 Cr.P.C against the petitioner for the offence under Section 138 of the Negotiable Instruments Act, 1881 before the Judicial Magistrate No.I, Gobichettipalayam in S.T.C.No.838 of 2017 and he was convicted and sentenced for the above offence, to undergo six months simple imprisonment and to pay the cheque amount of Rs.6,50,000/- as compensation to the complainant. The petitioner had filed an appeal in Crl.A.No.25 of 2020 before the III Additional District and Sessions



WEB COPY

Judge, Gobichettipalayam, Erode and the Appellate Court by judgment dated 22.10.2021 had dismissed the appeal and confirmed the conviction and sentence, against which, the petitioner has preferred the present revision along with suspension of sentence.

3. On 31.01.2022, this Court generously suspended the sentence as against the petitioner on condition that the petitioner shall deposit 50% of the cheque amount, but the same has not yet been complied with. However, now the petitioner has come up with the present petition to modify the order passed by this Court on 31.01.2022. Since both the Courts below given concurrent findings, the scope of revision is very limited and considering the fact that the cheque was of the year 2018, this Court is not inclined to modify the conditional order passed by this Court on 31.01.2022.

4. In view of the above, this miscellaneous petition is dismissed.

ms

23.09.2022

Page No.2/3



WEB COPY



P.VELMURUGAN,J.

ms

Crl.M.P.No.3116 of 2022
in
Crl.M.P.No.697 of 2022
in
Crl.R.C.No.72 of 2022

23.09.2022