



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.R.C.No.587 of 2022

K.Dhanasakaran

... Petitioner / Accused

Versus

P.Sekar

... Respondent / Complainant

Prayer: Criminal Revision Case filed under Section 397 read with 401 Cr.P.C, to call for the records pertaining to the Crl.M.P.No.1369 of 2021 in Crl.A..No.23 of 2021 and set aside the order vide in Crl.M.P.No.1369 of 2021 in Crl.A.No.23 of 2021, order dated 08.10.2021 on the file of the III-Additional District and Session Judge, Thiruvallur.

For Petitioner : Mr. A.T.Anbu Kumar

O R D E R

Even though this Criminal Revision Case is coming up only for admission, considering the nature of relief which is being prayed in this Criminal Revision Case, this Criminal revision is taken up for disposal today, even without notice to the respondent/complainant.

2.The petitioner was convicted for an offence under Section 138 of the Negotiable Instruments Act, by the Learned Judicial Magistrate, Fast Track Court, Ambattur, as against which, he filed an appeal before the Learned Principal District and Sessions Judge, Thiruvallur. While considering the application for suspension of sentence, the petitioner was ordered to deposit 20% of the Cheque amount to the credit of C.C.No.369 of 2018. The petitioner could not comply with the same within the time of two months as granted by the Learned Magistrate.

3.Even though the present revision is filed as against the imposition of the condition, the learned counsel for the petitioner would submit, as stated in the grounds raised before this Court, that the petitioner is ready and willing to deposit the said sum, within a period of one week from the date of receipt of a copy of this order.



4. In view of the said submission made by the learned counsel for the petitioner, and considering the overall facts and circumstances of the case, this Criminal Revision is disposed off, on the following terms:-

(i) The petitioner shall pay the said sum of 20% of the Cheque amount as ordered by the Learned Principal District and Sessions Judge, Thiruvallur, to the respondent/complainant, directly by way of Demand Draft, within a period of one week from the date of receipt of a copy of this order.

(ii) On compliance with this order, the petitioner shall be deemed to have complied with the order of the Learned Principal District and Sessions Judge, Thiruvallur in CrI.M.P.No.1369 of 2021.

(iii) There shall be no orders as to costs.

(iv) If the petitioner does not pay the said amount within the period of one week, this order shall stand automatically vacated and the suspension of sentence shall stand cancelled and the matter can proceed in accordance with the law.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

klt

To

1. The III-Additional District and Session Judge,
Thiruvallur.

2. The Judicial Magistrate, Fast Track Court,
Ambattur.

+1cc to Mr. A.T.Anbu Kumar, Advocate, S.R.No.32197

+1cc to Mr. A.T.Anbu Kumar, Advocate, S.R.No.32197(22/06/2022)

CrI.R.C.No.587 of 2022

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NSK/17/06/2022