



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2022

CORAM :

WEB COPY THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.8602 of 2022

in

Crl.R.C.No.846 of 2022

Rathakrishnan,
S/o.Nanjan

... Petitioner

Versus

B.M.Sekar,
S/o.Muthusamy

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Sections 389(i) of the Code of Criminal Procedure to suspend the sentence imposed in Crl.A.No.13 of 2021 dated 27.12.2021 on the file of the learned Special Judge for Trial of case registered under SC/ST (POA) Act, Namakkal and enlarge the petitioner on bail till the disposal of the criminal revision case.

For Petitioner : Mr.S.Agilesh Kumar
for Mr.Aswin Prasanna

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence, imposed by the learned Special Judge for Trial of case registered under SC/ST (POA) Act, Namakkal in Crl.A.No.13 of 2021 dated 27.12.2021 and enlarge the petitioner on bail till the disposal of the criminal revision case.

2. Heard the learned Counsel appearing for the petitioner.

3. It is brought to the notice of this Court that the petitioner is convicted for the offence under Section 138 of Negotiable Instruments Act and he is in prison for more than one month.

4. In that view of the matter, I am of the view that this is a fit case, where the sentence can be suspended, pending the criminal revision case. Accordingly, the sentence imposed on the petitioner is suspended with the following conditions:-

(a) the petitioner is ordered to be released on bail, on his executing 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 Trial Court;



(b) the petitioner and the sureties shall affix their photographs and left thumb impressions in the surety bonds and the learned Magistrate may obtain a copy of their Aadhar Cards or Bank Pass books to ensure their identities;

(c) the petitioner shall appear before the Trial Court on the first working day of every English Calendar Month at 10.30 A.M until the disposal of the Criminal Revision Case and if he is not able to appear before the Trial Court on any day, he shall make arrangements to file an application under Section 317 of Cr.P.C., and shall appear before the Trial Court on any other day in lieu of the date of his absence, as directed by the Trial Court.

5. The Criminal Miscellaneous Petition is ordered accordingly.

-sd/-

04/07/2022

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 SPECIAL JUDGE FOR TRIAL
OF CASE REGISTERED UNDER SC/ST (POA) ACT,
NAMAKKAL.

2 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

+2 C.C. to MR.ASWIN PRASANNA Advocate on payment of necessary charges SR.NO. 10538

Order

in

CRL MP.8602/2022

in

CRL RC.846/2022

Date :04/07/2022

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