



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.7570 of 2022 in Crl.R.C.No.737 of 2022

R.Vinothkumar

... Petitioner

Versus

G.Mathan Kumar

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 389(2) of the Code of Criminal Procedure to suspend the sentence imposed on the petitioner in C.C.No.2 of 2019 on the file of the learned Judicial Magistrate, Sholinghur, by an order, dated 01.08.2019, which was confirmed by the learned II Additional District and Sessions Judge, Ranipet, Vellore District in C.A.No.80 of 2019 by an order, dated 22.04.2022 and enlarge the petitioner on bail.

For Petitioner : Mr.S.Suresh
for Mr.T.Vijay

ORDER

This Criminal Miscellaneous Petition is to suspend the sentence imposed on the petitioner in C.C.No.2 of 2019 on the file of the learned Judicial Magistrate, Sholinghur, by an order, dated 01.08.2019, which was confirmed by the learned II Additional District and Sessions Judge, Ranipet, Vellore District in C.A.No.80 of 2019 by an order, dated 22.04.2022 and enlarge the petitioner on bail.

2. It is reported by the learned Counsel for the petitioner that the petitioner has surrendered before the Trial Court on 04.07.2022. The learned Counsel for the petitioner would submit that the



petitioner is convicted for the offence under Section 138 of the Negotiable Instruments Act, 1881 and the petitioner has got more than a prima facie case.

3. In that view of the matter, I am of the view that this is a fit case for grant of suspension of sentence pending the Criminal Revision Case. Therefore, the sentence can be suspended on the following terms:-

(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.

4. This Criminal Miscellaneous Petition is ordered accordingly.

-sd/-
05/07/2022

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 II ADDITIONAL DISTRICT AND SESSIONS
JUDGE, RANIPET, VELLORE DISTRICT.



2 THE JUDICIAL MAGISTRATE,
SHOLINGHUR.

3 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

WEB COPY

+2 C.C. to M/S.S.SURESH Advocate on payment of necessary
charges SR.NO.10675, 10724

Order

in
CRL MP.7570/2022
in
CRL RC.737/2022

Date :05/07/2022

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TA-06/07/2022