



Crl.M.P.No.12930 of 2022 in Crl.R.C.No.569 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.12930 of 2022
in Crl.R.C.No.569 of 2022

M.Selvaraj

... Petitioner

Versus

P.Rajendran

... Respondent

Prayer: Criminal Miscellaneous Petition is filed under Section 397(1) of the Code of Criminal Procedure, pleaded to release the petitioner/accused on bail and the execution of the sentence may be suspended pertaining to C.A.No.27 of 2017 dated 09.03.2010 on the file of the Additional Sessions Court (Fast Track Mahila Court), Tiruvarur, by confirming the order of conviction rendered by the trial Court in S.T.C.No.58 of 2016 dated 06.06.2017 on the file of the learned District Munsif-cum-Judicial Magistrate Court, Nannilam, by convicting the petitioner for 9 months simple imprisonment along with Rs.4.00 lakh as compensation (double the cheque amount of Rs.2.00 lakh) till the disposal of the main Criminal Revision Petition filed by the petitioner before this Hon'ble Court.



Crl.M.P.No.12930 of 2022 in Crl.R.C.No.569 of 2022

For Petitioner : Mr.K.M.Subramanian

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ORDER

This Criminal Miscellaneous Petition is filed to release the petitioner/accused on bail and the execution of the sentence may be suspended pertaining to C.A.No.27 of 2017 dated 09.03.2010 on the file of the Additional Sessions Court (Fast Track Mahila Court), Tiruvarur, by confirming the order of conviction rendered by the trial Court in S.T.C.No.58 of 2016 dated 06.06.2017 on the file of the learned District Munsif-cum-Judicial Magistrate Court, Nannilam, by convicting the petitioner for 9 months simple imprisonment along with Rs.4.00 lakh as compensation (double the cheque amount of Rs.2.00 lakh) till the disposal of the main Criminal Revision Petition.

2. It is seen from the records that pending disposal of the Revision, the respondent/complainant and the petitioner/accused have entered into a Memo of settlement, in and by which the complainant has agreed to receive a sum of Rs.3,00,000/- as full quit and a sum of Rs.1,00,000/- has already been paid to the respondent and the petitioner/accused is liable to



Crl.M.P.No.12930 of 2022 in Crl.R.C.No.569 of 2022

pay the balance sum of Rs.2,00,000/- on or before 30.09.2022.

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3. In that view of the matter, I am of the view that this is a fit case, where the sentence can be suspended and the petitioner can be enlarged on bail. Therefore, I am inclined to suspend the sentence and grant bail to the petitioner on 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 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



Crl.M.P.No.12930 of 2022 in Crl.R.C.No.569 of 2022

any other day in *lieu* of the date of his absence, as directed by the Trial Court.

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4. This Criminal Miscellaneous Petition is ordered accordingly.

18.08.2022

Index : yes/no

Speaking order/Non-speaking order

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To

1. The District Munsif-cum-Judicial Magistrate Court,
Nannilam.
2. The Superintendent of Police,
Central Prison,
Tiruchirapalli.
3. The Public Prosecutor,
High Court of Madras.

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Crl.M.P.No.12930 of 2022 in Crl.R.C.No.569 of 2022

D.BHARATHA CHAKRAVARTHY. J.,

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Crl.M.P.No.12930 of 2022
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18.08.2022