



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Wednesday, the Twenty Third day of February Two Thousand and Twenty Two

WEB COPY

PRESENT

**The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN**

CRL MP(MD) No.2178 of 2022

IN

CRL RC(MD) No.122 of 2022

R.BABU

... PETITIONER/PETITIONER/  
APPELLANT/ACCUSED

Vs

R.KUMAR

... RESPONDENT/RESPONDENT/  
RESPONDENT/COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence passed in C.A. No. 37 of 2020 dated. 23.11.2021 on the file of the Hon`ble Court of the II Additional District and Sessions Judge, Thanjavur confirming the order passed in S.T.C. No. 305 of 2017 dated 01.10.2020 on the file of the Court of Judicial Magistrate, Fast Track Court, Thanjavur sentencing the petitioner to undergo simple imprisonment for 6 months and to pay compensation of Rs.3,61,500/- (cheque amount) and in default shall undergo 2 month simple imprisonment and enlarge the petitioner on bail.

**Prayer in CRL RC(MD) . 122/ 2022 :**

To call for the records relating to the impugned order passed in C.A. No. 37 of 2020 dated. 23.11.2021 on the file of the Hon`ble Court of the II Additional District and Sessions Judge, Thanjavur confirming the order passed in S.T.C.No.305 of 2017 dated 01.10.2020 on the file of the Court of Judicial Magistrate, Fast Track Court, Thanjavur and set aside the same as illegal.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S. SARAVANAN.B., Advocate for the petitioner, the court made the following order:-



After confirming the conviction passed by the trial court as well as the appellate court, even till today the accused not surrender before the trial court. Therefore this suspension of petition is dismissed.

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sd/-  
23/02/2022

/ TRUE COPY /

/ /2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

1. THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE,  
THANJAVUR.
2. THE JUDICIAL MAGISTRATE,  
FAST TRACK COURT, THANJAVUR.
3. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.

+1. C.C. to M/S. SARAIVANAN.B. Advocate SR.No.1473.

ORDER  
IN  
CRL MP (MD) No.2178 of 2022  
IN  
CRL RC (MD) No.122 of 2022  
Date :23/02/2022

USK/PN/SAR-II/28.02.2022/2P/5C