



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL MP(MD) No.5973 of 2022
IN
CRL RC(MD)No.467 of 2022

SHANMUGA SIKA

... PETITIONER/PETITIONER

Vs

MALAYANDI

... RESPONDENT/RESPONDENT

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 by the learned Judicial Magistrate No. III, Tirunelveli in S.T.C.No. 347 of 2018 dated 12.04.2019 confirmed by the learned I Additional District Sessions Court, Tirunelveli in C.A.No.73 of 2019 dated 05.03.2022, pending disposal of the main Revision Petition.

Prayer in CRL RC(MD) . 467/ 2022 :

To call for the records pertaining to the dismissal order dated. 05.03.2022 made in C.A.No. 73 of 2019 on the file of the I-Additional District Sessions Judge, Tirunelveli, confirming the conviction order imposed on the Revision Petitioner in S.T.C.No. 347 of 2018 Dated. 12.04.2019 on the file of the learned Judicial Magistrate No. III, Tirunelveli and set aside the same by allowing this Criminal Revision Petition.

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.ABIYA.K, Advocate for the petitioner, While admitting the CRL.RC., the court made the following order:-

This petition is filed to suspend the sentence imposed by the judgment dated 12.04.2019 passed in S.T.C.No.347 of 2018 on the file of the learned Judicial Magistrate No.III, Tirunelveli, which was confirmed by the learned I Additional District Sessions Judge, Tirunelveli.

2.The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the Court of Judicial

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Magistrate No.III, Tirunelveli, for the alleged offence punishable under Section 138 of the Negotiable Instruments Act and sentenced to undergo Simple Imprisonment for a period of six months and to pay a fine of Rs.1,000/- (Rupees one thousand only) in default to undergo one month simple imprisonment. The petitioner has filed the present petition for suspension of sentence pending disposal of the revision.

3. The learned counsel appearing for the petitioner prayed that the sentence to be suspended till the disposal of the revision.

4. Heard the submission of the learned counsel for the petitioner.

5. Considering the facts and circumstances of the case, I am of the considered opinion that the petitioner is entitled for the relief of suspension of sentence.

6. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is directed to be enlarged on bail, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Tirunelveli, and on further condition that the petitioner shall appear before the said Court weekly once i.e., on every Wednesday at 10.30 a.m. pending disposal of the revision.

sd/-

19/05/2022

/ TRUE COPY /

20/05/2022

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

TO

1 THE JUDICIAL MAGISTRATE NO.III, TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE I ADDITIONAL DISTRICT SESSIONS JUDGE, TIRUNELVELI.

+1. C.C. to M/S.ABIYA K Advocate SR.No.4914

ORDER IN

CRL MP(MD) No.5973 of 2022

IN

CRL RC(MD)No.467 of 2022

Date :19/05/2022

SA/SVR/SAR.2/20.05.2022/2P/5C

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