



WEB COPY

Crl.R.C.(MD)No.668 of 2022



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE **K.MURALI SHANKAR**

Crl.R.C.(MD)No.668 of 2022
and
Crl.M.P.(MD)No.8274 of 2022

P.Rengan

... Petitioner/Appellant/Accused

Vs.

D.Balathandayudham

...Respondent/Respondent/Complainant

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to set aside the conditions imposed on the petitioner in the order, dated 05.07.2022 made in Cr.M.P.No.2800 of 2022 in C.A.No.54 of 2022 on the file of the I Additional District and Sessions Judge (PCR), Tiruchirappalli.

For Petitioner : Mr.A.Rajini

ORDER

This Criminal Revision Petition is directed against the order passed in Cr.M.P.No.2800 of 2022 in C.A.No.54 of 2022, dated 05.07.2022, on the file of the I Additional District and Sessions Judge



(PCR), Tiruchirappalli, wherein, the sentence of imprisonment imposed by the trial Court was ordered to be suspended on condition that the petitioner shall deposit a sum of Rs.2,00,000/- into the Court of District Munsif cum Judicial Magistrate, Srirangam to the credit of S.T.C.No.372 of 2019, on or before 20.07.2022 and to execute a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of the said Magistrate on or before 28.07.2022 without fail.

2.It is seen from the records that the District Munsif cum Judicial Magistrate, Srirangam has passed the impugned Judgment in S.T.C.No.372 of 2019 convicting the petitioner for the offence under Section 138 of N.I. Act and sentenced to undergo Simple Imprisonment for one year and to pay a compensation of Rs.10,00,000/- to the respondent, in default, to pay the compensation amount to undergo Simple Imprisonment for three months. Challenging the said conviction and sentence, the petitioner has preferred an appeal and the same is pending in C.A.No.54 of 2022 on the file of the I Additional District and Sessions Judge. Thereafter, the petitioner has filed an application in Cr.M.P.No.2800 of 2022 in C.A.No.54 of 2022 seeking suspension of sentence and the learned I Additional District and Sessions Judge has passed the above said impugned order.



3.The learned counsel for the petitioner would submit that the petitioner is a Cancer patient and he is taking treatment till now. He would further submit that it would be suffice, if further two months time is granted to comply with the order of the Appellate Court.

4.Considering the above facts and circumstances and also taking note of the limited prayer now sought for by the learned counsel for the petitioner, without going into the merits of the case, the petitioner is directed to deposit a sum of Rs.2,00,000/- into the Court of District Munsif cum Judicial Magistrate, Srirangam to the credit of S.T.C.No.372 of 2019, on or before 22.08.2022 and to execute a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of the said Magistrate on or before 26.08.2022.

5.With the above directions, this Criminal Revision Petition is disposed of. Consequently, connected miscellaneous petition is closed.

20.07.2022

Index : Yes/No

Internet : Yes/No

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Note: Issue order copy on 21.07.2022



CrI.R.C.(MD)No.668 of 2022

K.MURALI SHANKAR, J .

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To:-

- 1.The I Additional District and Sessions Judge (PCR), Tiruchirappalli
- 2.The District Munsif cum Judicial Magistrate, Srirangam.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
CrI.R.C.(MD)No.668 of 2022
and
CrI.M.P.(MD)No.8274 of 2022

20.07.2022