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CRL MP(MD) N



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

Thursday, the First day of December Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.14902 of 2022

in

CRL.R.C. (MD) No.1190 of 2022

T.PERUMAL

... PETITIONER/PETITIONER

Vs

K.RENGASAMY

... 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 against the Petitioner by the judgment dated.05.06.2020 passed in CA.No.101 of 2018 on the file of the Principal Sessions Court, Dindigul confirming the judgment dt.8.11.2018 passed in STC.No.786 of 2017 on the file of the Additional District Munsif cum Judicial Magistrate Court, Vedasandur and release the petitioner on bail till the disposal of the above revision petition.

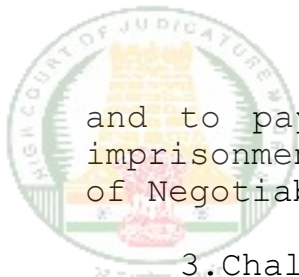
PRAYER in CRL.R.C. (MD) No.1190 of 2022 :

Pleased to call for the records and set aside the judgment dated 05.06.2020 passed in C.A.No.101 of 2018 on the file of the Principal Sessions Court, Dindigul confirming the judgment dated 08.11.2018 passed in S.T.C.No.786 of 2017 on the file of the Additional District Munsif cum Judicial Magistrate Court, Vedasandur, by allowing this revision.

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.SELVAN T, Advocate for the petitioner and of none appeared for the respondent either in person or through by an advocate, while admitting the Crl.R.C., the court made the following order:-

The petitioner seeks for suspension of the substantive sentence of imprisonment imposed on him in Crl.A.No.101 of 2018, dated 05.06.2020, by the learned Principal District and Sessions Judge, Dindigul, confirming the conviction and sentence of imprisonment imposed by the learned Additional District Munsif cum Judicial Magistrate, Vedasandur, in S.T.C.No.786 of 2017 by the judgment dated 08.11.2018.

2.The learned counsel appearing for the petitioner submitted that the petitioner has been convicted and sentenced by the trial Court, to undergo simple Imprisonment, for a period of five months



and to pay a fine of Rs.4,000/-, in default to undergo imprisonment for a period 30 days, for the offence under Section 138 of Negotiable Instruments Act.

3. Challenging the above said conviction and sentence, the petitioner has preferred the present Criminal Revision Case, along with the instant miscellaneous petition seeking suspension of sentence.

4. The learned counsel appearing for the petitioner submitted that while entering into the Chit, the alleged cheque was given as a security, but the same was not returned to the petitioner, even after the closure of chit. The said fact is not considered by the trial Court.

5. In view of the above, the sentence imposed on the petitioner is suspended, pending disposal of the Criminal Revision Case, with the following conditions:-

1. The petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned Additional District Munsif cum Judicial Magistrate, Vendasandur.
2. The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and
3. The petitioner shall appear before the trial Court daily at 10.30 a.m until further orders.

sd/-

01/12/2022

/ TRUE COPY /

05/12/2022

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

TO

1. THE PRINCIPAL SESSIONS JUDGE, DINDIGUL.
2. THE ADDITIONAL DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, VEDASANDUR.
3. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

ORDER IN

CRL MP(MD) No.14902 of 2022
in

CRL.R.C. (MD) No.1190 of 2022

Date : 01/12/2022

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<https://www.mca.gov.in/portal/iv/05.12.2022/2P/4C>