



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

Tuesday, the Twenty Ninth day of November Two Thousand and
Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.14674 of 2022

IN

CRL RC(MD)SR.No.37125 of 2022

V. SIVASUBRAMANIAN @ SIVAN
(CONVICTED ACCUSED NO.1369)
REMANDED ON 13.10.2022

... PETITIONER/PETITIONER

Vs

V.CHOKKALINGAM

... 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 impugned in Crl A No.70/2019 on the file of this IV Additional District and Session Judge, Madurai, dt.11.12.2020 and STC No.810/2016 On the file of Judicial Magistrate No.II, Fast Track Court, (Magistrate Level) Madurai, dated 26.04.2019 and enlarged the petitioner on bail till the disposal of the Criminal Revision Petition.

Prayer in Crl.RC. (MD) .SR.No.37125 of 2022:

To call for the records in Crl.A.No.70/2019 on the file of this IV Additional District and Sessions Judge, Madurai Dated 11.12.2020 and Confirming the Judgment in STC.No.810/2016 on the file of Judicial Magistrate No.II Fast Track, Magistrate Level, Madurai dated 26.04.2019 set aside the same.

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.GUNASEELANMUTHIAH.J., Advocate for the petitioner and of Mr.N.VALLINAYAGAM, Advocate on behalf of the Respondent, the court made the following order:-

The petitioner seeks for suspension of the substantive sentence of imprisonment imposed on him in Crl.A.No.70 of 2019, dated 11.12.2020, by the learned IV Additional District and Sessions Judge, Madurai confirming the conviction and sentence of imprisonment imposed by the learned Judicial Magistrate No.II, Fast



Track Court (Magistrate Level), Madurai, in S.T.C.No.810 of 2019 by the judgment dated 26.04.2019.

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 six months and to pay a compensation of Rs.5,30,000/-, within a period of two months, from the date of Judgment, 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 the petitioner has complied with the order, passed by this Court on 25.11.2022, in CrI.MP(MD)No.13548 of 2022 and paid the amount before the concerned Court. Now, the petitioner is in custody.

5.Considering the period of incarceration undergone by the revision petitioner, 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 Judicial Magistrate No.II, Fast Track Court (Magistrate Level), Madurai.
- 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/-

29/11/2022

/ TRUE COPY /

30/11/2022

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

TO

1 THE IV ADDITIONAL DISTRICT AND SESSIONS JUDGE,

MADURAI.

<https://www.mhc.tn.gov.in/judis>



2 THE JUDICIAL MAGISTRATE NO.II,
FAST TRACK COURT (MAGISTRATE LEVEL),
MADURAI.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.

+1. C.C. to M/S.GUNASEELANMUTHIAH J Advocate SR.No.13903

ORDER

IN

CRL MP(MD) No.14674 of 2022

IN

CRL RC(MD)SR.No.37125 of 2022

Date :29/11/2022

PNM

SA/VR/SAR. /30.11.2022/3P/6C