



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

Wednesday, the Sixteenth day of November Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL MP(MD) No.13804 of 2022

IN

CRL RC(MD) No.1080 of 2022

KANNIKAPARAMESHWARI

... PETITIONER/APPELLANT

Vs

NARAYANAN

... 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 Additional District and Sessions Court, Palani, Dindigul District C.A.No.18/2019 dt.14.10.2022 confirming the Judgment of conviction and sentence passed by the learned Judicial Magistrate (Fast Track), Palani in C.C.No.40/2017 dated 31.01.2019 and enlarge the petitioner on bail pending disposal of the above appeal.

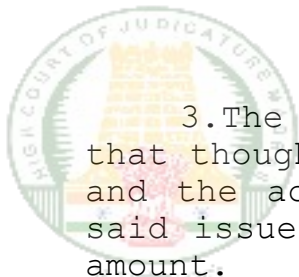
Prayer in CRL RC(MD). 1080/ 2022 :

To call for the records pertaining to the judgments of conviction and sentence passed by the Learned Additional District and Sessions Court, Palani, Dindigul District C.A.No.18/2019 dt.14.10.2022 conforming the judgment of conviction and sentence passed by the learned Judicial Magistrate (Fast Track) Palani in C.C.No.40/2017 dated 31.01.2019 and set aside the same as against the petitioner.

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.KARUPPASAMY PANDIAN G, Advocate for the petitioner, while admitting the CRL RC., the court made the following order:-

This petition is filed to suspend the sentence passed in C.C.No.40 of 2017, dated 31.01.2019, by the Judicial Magistrate(Fast Track), Palani and the same was confirmed in Crl.A.No.18 of 2019, dated 14.10.2022, by the Additional District and Sessions Judge, Palani, pending disposal of the Criminal Revision.

2.Challenging the conviction and sentence, the petitioner has filed an appeal in Crl.A.No.18 of 2019, dated 14.10.2022, before the Additional District and Sessions Judge, Palani. The the Additional District and Sessions Judge, Palani confirmed the above said conviction and sentence and dismissed the appeal. Being dissatisfied with the said conviction and sentence, the petitioner has preferred the present Criminal Revision Case along with the instant miscellaneous petition seeking suspension of sentence.



3. The learned counsel appearing for the petitioner stated that though there is no acquaintance between the defacto complainant and the accused, the Court below did not taken care of the above said issue. Now, the petitioner is ready to deposit 20% of cheque amount.

4. In view of the above undertaking given 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 deposit 20% cheque amount and 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 Judicial Magistrate (Fast Tack), Palani.
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/-

16/11/2022

/ TRUE COPY /

17/11/2022

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

TO

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, PALANI,
DINDIGUL DISTRICT.

2 THE JUDICIAL MAGISTRATE (FAST TRACK), PALANI.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

+1 CC to M/s.G.KARUPPASAMY PANDIYAN, Advocate (SR-13127[I] dated 16/11/2022)

ORDER IN

CRL MP(MD) No.13804 of 2022
IN

CRL RC(MD) No.1080 of 2022
Date :16/11/2022

PNM

RS/VR/SAR. (17.11.2022) 2P-5C