



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

Tuesday, the Sixth day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.14850 of 2022

IN

CRL RC(MD) No.1176 of 2022

J.PUSHKARANI

... PETITIONER/PETITIONER

Vs

M.RAJAGOPAL

... 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 of imprisonment imposed by the learned 2nd Additional District and Sessions Judge, Thanjavur in Crl A No. 62 of 2021 by the judgment dated 30.09.2022 by which confirming the judgment and conviction order passed by the learned Judicial Magistrate / Fast Track Court, Thanjavur, in S.T.C.No.160 of 2018, by the judgment dated 16.03.2020, pending disposal of the above Criminal Revision Petition.

Prayer in CRL RC(MD) . 1176/ 2022 :

To call for the records and set aside the judgement and conviction dt.30/9/2022 made in Crl.A.No.62/2021 on the file of the learned 2nd Additional District and Sessions Judge, Thanjavur by which confirming the judgement and conviction order in S.T.C.No.160 of 2018 on the file of the learned Judicial Magistrate / Fast Track Court, Thanjavur by its judgment dated 16.03.2020, and acquit the petitioner/accused.

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.DEENADHAYALAN.S, Advocate for the petitioner and none appeared for the Respondent side either in person or by an advocate, the court made the following order:-

This petition is filed to suspend the sentence passed in Crl.A. No.62 of 2021 dated 30.09.2022, by the learned II Additional District and Sessions Judge, Thanjavur, pending disposal of the Criminal Revision.



2. Challenging the 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 submitted that the revision case is preferred on the ground that there was transaction between the parties, by misusing the cheque that was given by the petitioner at the time of earlier transaction, a case has been registered, that point was not considered by the trial Court or by the appellate Court.

4. In view of the above said submissions made 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 a sum of Rs.50,000/-, towards balance amount and also 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 II Additional District and Sessions Court, Thanjavur,
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/-

06/12/2022

/ TRUE COPY /

08/12/2022

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

TO

1 THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE,
THANJAVUR.

2 THE JUDICIAL MAGISTRATE/
FAST TRACK COURT, THANJAVUR.



3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

4 THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN,
TRICHIRAPPALLI.

+1. C.C. to M/S.DEENADHAYALAN S Advocate SR.No.14391

ORDER

IN

CRL MP (MD) No.14850 of 2022

IN

CRL RC (MD) No.1176 of 2022

Date :06/12/2022

indu

SA/VR/SAR. /08.12.2022/3P/6C