



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

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

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.14753 of 2022

IN

CRL RC(MD) No.1168 of 2022

P.KANAGAM

... PETITIONER/PETITIONER

Vs

S.RADHAKRISHNAN

... 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 imposed against the Petitioner in Crl.A.No.73 of 2017 dt.2.9.2022 on the file of the Learned Additional District and Sessions Court(Fast Track), Nagercoil confirming the Judgment in STC.No.258 of 2014 dt.5.5.2017 on the file of the Learned Fast Track Court (Magisterial Level) No.I, Nagercoil, pending disposal of the Criminal Revision Petition.

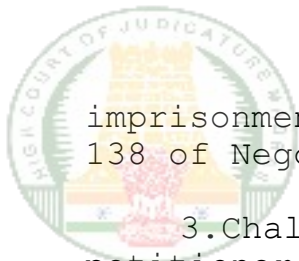
Prayer in CRL RC(MD) . 1168/ 2022 :

To call for the records from the Lower Courts and set aside the Judgment of the Appellate Court passed by the Learned Additional District and Sessions Court(Fast Track),Nagercoil in Crl.A.No.73 of 2017 dt.2.9.2022 confirming the Judgment in STC.No.258 of 2014 dated 05.05.2017 on the file of the Learned Fast Track Court(Magisterial Level) No.I, Nagercoil 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.S.SENTHIL, Advocate for the petitioner, the court made the following order:-

The petitioner seeks for suspension of the substantive sentence of imprisonment imposed on him in Crl.A.No.73 of 2017, dated 02.09.2022, by the learned Additional District and Sessions Judge (Fast Track), Nagercoil, confirming the conviction and sentence of imprisonment imposed by the learned Judicial Magistrate No.I, Fast Track Court (Magistrate Level), Nagercoil, in S.T.C.No.258 of 2014 by the judgment dated 05.05.2017.

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.3,00,000/-, within a period of two months, from the date of Judgment, in default to undergo simple



imprisonment for a period one month, 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 matter was compromised between the parties and after Judgment, entire amount is also paid.

5. In view of the above development, 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.I, Fast Track Court (Magistrate Level), Nagercoil.
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 /

01/12/2022

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

TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE
(FAST TRACK), NAGERCOIL.
- 2 THE JUDICIAL MAGISTRATE NO.I,
FAST TRACK COURT (MAGISTRATE LEVEL),
NAGERCOIL.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

ORDER IN

CRL MP(MD) No.14753 of 2022
IN CRL RC(MD) No.1168 of 2022
Date : 29/11/2022

PNM

RS/BUC/SAR.1/01.12.2022/2P/4C

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