



WEB COPY

CRL MP(MD) N



22

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

Wednesday, the Seventh day of December Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.15231 of 2022

in

CrI.R.C(MD) .No.1220 of 2022

S.JAYAKUMAR

... PETITIONER/PETITIONER

Vs

PALANIVEL

... 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 on the petitioner vide Judgment passed in CrI.A.No.175/2019, dated.10.10.2022 before the learned 1st Additional District and Sessions Judge, (PCR) Thiruchirappalli and confirming the judgment of conviction and sentence passed in S.T.C.No.6 of 2018 dated 07.12.2019 passed by the learned Judicial Magistrate, Thuraiyur, Trichy District and pending disposal of the above Criminal Revision Petition.

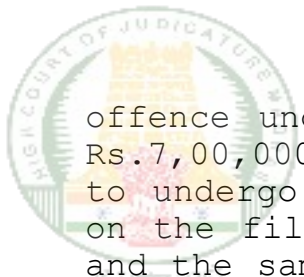
PRAYER in CrI.R.C(MD) .No.1220 of 2022 :

Pleased to call for the records and set aside the judgment in CrI.A.No.175 of 2019, dated 10.10.2022 before the learned 1st Additional District and Sessions Judge (PCR), Thiruchirappalli and confirming the judgment of conviction and sentence passed in S.T.C.No.6/2018 dated 07.12.2019 passed by the learned Judicial Magistrate, Thuraiyur, Trichy District and allow the above revision petition.

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.JAMEEL ARASU B, Advocate for the petitioner, while admitting the CrI.R.C., the court made the following order:-

This petition is filed to suspend the sentence and conviction passed in S.T.C.No.6 of 2018, dated 07.12.2019 on the file of the Judicial Magistrate, Thuraiyur, Trichy, and the same was confirmed in CrI.A.No.175 of 2019, dated 10.10.2022 on the file of the learned First Additional District and Sessions Judge(PCR), Trichirappalli, pending disposal of the Criminal Revision.

2.The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court for the alleged offence under Section 138 of NI Act and the petitioner sentenced to undergo six months of simple imprisonment and for the



offence under Section 357(3) of Cr.P.C and to pay compensation of Rs.7,00,000/- (Rupees Seven Lakhs only) to the respondent in default to undergo simple imprisonment of one month. in S.T.C.No.6 of 2018 on the file of the learned Judicial Magistrate, Thuraiyur, Trichy, and the same was confirmed by learned First Additional District and Sessions Judge(PCR), Thiruchirappalli, in Crl.A.No.175 of 2019, dated 10.10.2022.

3. He would further submit that the petitioner's ten cheques were stolen, out of which, one cheque was misused by the complainant and he has also registered a false compliant against the petitioner, this was not properly considered by the trial Court or by the appellate Court.

4. In view of the above submission made by the learned counsel for the petitioner, this Court is inclined to suspend the sentence imposed upon the petitioner.

5. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is directed to be enlarged on bail, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thuraiyur, Trichy District, and on further condition that the petitioner shall appear before the said Court at 10.30 a.m. on the first working day of every English Calendar month, pending disposal of the revision.

sd/-

07/12/2022

/ TRUE COPY /

14/12/2022

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

TO

1. THE 1ST ADDITIONAL DISTRICT AND SESSIONS JUDGE (PCR),
THIRUCHIRAPPALLI.
2. THE JUDICIAL MAGISTRATE,
THURAIYUR, TRICHY DISTRICT.
3. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

ORDER IN

CRL MP(MD) No.15231 of 2022
in

Crl.R.C(MD).No.1220 of 2022

Date :07/12/2022

tta

<https://www.mca.gov.in/> - /14.12.2022/2P/4C