



WEB COPY

Crl.M.P.No.8540 of 2023 in Crl.RC.No.1068 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2023

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.M.P.No.8540 of 2023
in Crl.RC.No.1068 of 2023

K.Vasanthi

... Petitioner

/vs/

Maruthi Investment Represented by its
Managing Director N.Subramaniam,
S/o.Nallappan,
D.No.40, Thuraiyur Road,
Namakkal Town,
Namakkal District
Respondent

..

Prayer : Criminal Miscellaneous Petition filed under section 482 of Cr.P.C., to suspend the sentence imposed in C.A.No.105 of 2021 dated 16.12.2022 on the file of the learned Principal Sessions Judge, Namakkal confirmed in C.C.No.300 of 2017 dated 12.10.2021 on the file of the learned Judicial Magistrate No.I, Namakkal.

For Petitioner ... Mr.K.T.S.Sivakumar

ORDER

This petition has been filed to suspend the sentence imposed on the petitioner by the learned Judicial Magistrate No.I, Namakkal in



C.C.No.300 of 2017, vide judgement dated 12.10.2021, which was confirmed by the learned Principal Sessions Judge, Namakkal in Crl.A.No.105 of 2021, vide judgement dated 16.12.2022, pending disposal of the Criminal Revision Petition.

2. The trial Court, by its judgment dated 12.10.2021 convicted and sentenced the petitioner/accused as follows:

<i>Petitioner's Rank</i>	<i>Provision under which convicted</i>	<i>Sentence</i>
Sole accused	U/s.138 of NI Act	To undergo SI for 3 months and to pay a compensation of Rs.7,17,000/- under Section 357(3) of Cr.P.C.

3.Challenging the above judgment, the petitioner preferred an appeal in Crl.A.No.105 of 2021 on the file of the Principal Sessions Court, Namakkal and the learned Principal Sessions Judge, Namakkal, vide judgment dated 16.12.2022, confirmed the judgment of the trial Court.



WEB COPY 4.Challenging the conviction and sentence slapped by the Trial Court and the lower Appellate Court, the petitioner is before this Court.

5.The learned counsel for the petitioner submitted that the judgment of the trial court and the lower appellate court is contrary to law, weight of evidence and probabilities of the case. He would further submit that there are arguable points in this Revision and the petitioner has every chance to succeed in this Criminal Revision Case. Thus, he prayed for suspension of sentence till the disposal of this Criminal Revision case.

6.Heard the learned counsel for the petitioner and perused the materials available on record.

7.The petitioner has raised substantial grounds in the Revision which require detailed appraisal. Further, the Revision is not likely to be taken up in the near future. In such view of the matter, this Court



is of the view that the petitioner is entitled to the relief of suspension of sentence and bail.

8. Accordingly, the relief of suspension of sentence and bail is granted to the petitioner on the following conditions:

- (i) The substantive sentence of imprisonment alone is suspended and the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) to the satisfaction of the learned Judicial Magistrate No.I, Namakkal.
- (ii) The petitioner shall affix her photograph and Left Thumb Impression in the bond and the above said Court may obtain a copy of her Aadhaar card or Bank pass Book to ensure her identity; and;
- (iii) Petitioner shall appear before the trial Court as and when required.

20.06.2023

(2/2)

srn

Note: Issue order copy on 21.06.2023



To

WEB COPY

1. The learned Principal Sessions Judge, Namakkal
2. The learned Judicial Magistrate No.I, Namakkal.
3. The Superintendent, Central Prison for Women, Coimbatore.
4. The Public Prosecutor, High Court, Madras.



WEB COPY



Crl.M.P.No.8540 of 2023 in Crl.RC.No.1068 of 2023

V.SIVAGNANAM, J.

srn

Crl.M.P.No.8540 of 2023
in
Crl.RC.No.1068 of 2023

20.06.2023
(2/2)