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Crl.M.P.No.52 of 2023 in Crl.R.C.No.7 of 2023

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V.SIVAGNANAM,J.

This petition has been filed to suspend the sentence imposed on the petitioner by the Fast Track Court-I, Egmore, Chennai, in C.C.No.6189 of 2012, vide judgement dated 25.04.2019, which was confirmed by the III Additional Sessions Judge, Chennai, in Crl.A.No.200 of 2019, vide judgment dated 01.11.2022, pending disposal of the Criminal Revision Petition.

2. The Trial Court, by judgment dated 25.04.2019 in C.C.No.6189 of 2012, convicted the petitioner for the offence under Section 138 of Negotiable Instruments Act and sentenced him to undergo six months simple imprisonment and to pay a sum of Rs.3,00,000/- as compensation under Section 357(3) of Cr.P.C., to the complainant. Challenging the above judgment, the petitioner preferred an appeal in Crl.A.No.200 of 2019, which was also confirmed by the first appellate Court vide judgment dated



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3. Challenging the conviction and sentence slapped by the Trial Court and the first appellate Court, the petitioner is before this Court.

4. The learned counsel for the petitioner submitted that there are arguable points in this Criminal Revision Case. Hence, prayed for suspension of sentence.

5. Heard the learned Government Advocate (Crl. side) appearing for the respondent and perused the impugned judgment and the materials on record.

6. Taking into consideration of the above submission of the learned counsels appearing on both sides, this Court finds that the petitioners have substantial grounds in this Criminal Revision Case, which require detailed appraisal. Therefore, this Court is of the view that the petitioner is entitled to the relief of suspension of sentence.

7. Accordingly, it is ordered as follows.



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(i) The substantive sentence of imprisonment alone is suspended and the petitioner shall surrender before the Trial Court within two weeks from the date of receipt of a copy of this order and on such surrender, the petitioner is ordered to be released on bail on *executing own 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 Fast Track Court-I, Egmore, Chennai.*

(ii) The petitioner and 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.

(iii) The petitioner shall appear before the Trial Court as and when required.

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