



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

Wednesday, the Eleventh day of January Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL.M.P. (MD) No.839 of 2023
in
CRL.R.C. (MD) No.SR46061 of 2022

RAJARAM

... PETITIONER / PETITIONER /
REVISION PETITIONER

Vs

NAGARAJAN

... 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 execution of sentence imposed in C.A.No,30 of 2015 the learned Additional District and Sessions Judge, Nagercoil, dated 07.01.2020 which is modified from the Judgment of the Judicial Magistrate Fast Track No.I, Nagercoil in C.C.No.26 of 2013 dated 07.07.2015 till the disposal of Crl.R.C.,

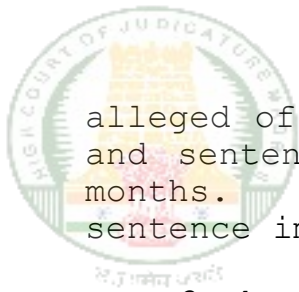
Prayer in CRL.R.C. (MD) No.SR46061 of 2022:

To take this REVISION on file, call for the records from the court set aside the modification of conviction of sentence imposed in CA No.30 of 2015 by the learned Additional District and Sessions Judge, Nagercoil, dated 07.01.2020 from the Judgment of the Judicial Magistrate Fast Track Court No.I, Nagercoil, in C.C.No.26 of 2013 dated 07.07.2015.

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.KARTHIKEYAN S, Advocate for the petitioner and of on behalf of the Respondents the court made the following order:-

This petition is filed to suspend the sentence imposed by the Court of the learned Additional District and sessions Judge, (Fast Track Court), Nagercoil, in Crl.A.No.30 of 2015, dated 07.01.2020, in confirming the conviction and sentence imposed by the learned Judicial Magistrate No.I, Fast Track Court (Magisterial Level), Nagercoil, in C.C.No.26 of 2013, dated 07.07.2015, 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 the Negotiable Instruments Act and sentenced to undergo simple imprisonment for a period of six months. The appellate Court has confirmed the conviction and sentence imposed by the trial Court and dismissed the appeal.

3. The learned counsel appearing for the petitioner submitted that the matter has been compromised between the parties out of the Court.

4. In view of the above development, this Court is inclined to suspend the sentence imposed on the petitioner.

5. Accordingly, the suspension of sentence petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the revision and the petitioner is directed to be enlarged on bail on his executing own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the Superintendent of Central Prison, Madurai.

sd/-

11/01/2023

/ TRUE COPY /

11/01/2023

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

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
FAST TRACK COURT, NAGERCOIL.
- 2 THE JUDICIAL MAGISTRATE NO.I,
FAST TRACK COURT(MAGISTRATE LEVEL), NAGERCOIL.
- 3 THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 5 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI.

ORDER

IN

CRL.M.P. (MD) No.839 of 2023

in

CRL.R.C. (MD) No.SR46061 of 2022

Date :11/01/2023

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