



Crl.R.C.(MD).No.679 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2023

CORAM :

THE HONOURABLE MR.JUSTICE K.K. RAMAKRISHNAN

Crl.R.C(MD).No.679 of 2023

P.Sekar

... Petitioner

Vs.

1.R.Srinivasan

2.The Public Prosecutor,
Thoothukudi District,
Thoothukudi.

... Respondents

PRAYER: Criminal Revision Case filed under Section 397 r/w. 401 Cr.P.C., to set aside the condition imposed in the order of the Principal Sessions Court directing the petitioner shall deposit 20% of the compensation amount before the trial Court in its order, dated 03.06.2023 made in Cr.M.P.No.3176 of 2023 in C.A.No.90 of 2023 on the file of the Principal Sessions Judge, Thoothukudi.

For Petitioner : Mr.N.Anandkumar

For Respondent : Mr.T. Senthilkumar
Additional Public Prosecutor



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ORDER

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The revision petitioner, who is the accused in C.C.No.23 of 2019 on the file of the learned Judicial Magistrate Fast Track (Magisterial Level) Kovilpatti. In the said case learned Trial Judge imposed the conviction and sentence of imprisonment under Section 138 Negotiable Instruments Act, apart from granting compensation of Rs. 4,70,000/-. Challenging the same, he filed the appeal in C.A.No.90 of 2023 before the Principal Sessions Judge, Thoothukudi along with suspension of sentence in Crl.M.P.No.3176 of 2018.

2. The learned Appellate Judge was passed the impugned suspension order with condition to deposit 20% of the compensation amount. Aggrieved over the same, the petitioner has filed this revision.

3. Perusal of the order of the Court below, it is seen that the learned Appellate Judge recording the undertaking given by the petitioner and also taken into consideration of the merits of the case, imposed 20% of the compensation amount to be deposited before the Court concerned for the grant of suspension of sentence.



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4. . Since the learned Appellate Judge considered the merits of the case and also undertaking given by the petitioner, passed the impugned order in accordance with law.

5. Hence, this Court does not find any reason to interfere with the order passed by the learned Principal Sessions Judge, Thoothukudi.

6. Accordingly, this Criminal Revision Case is dismissed.

05.07.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
trp

To

1.The Public Prosecutor,
Thoothukudi District,
Thoothukudi.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K. RAMAKRISHNAN. J.,

trp

Order made in
CrI.R.C(MD).No.679 of 2023

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