



Crl.R.C(MD)No.919 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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21.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE K.K.RAMAKRISHNAN

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Purushothaman

.. Petitioner

Vs.

Arunprasath
Branch Manager
Sriram Transport Finance Company Ltd.,
Rajkamal Hotel Near,
Thiruthangal,
Virudhunagar District.

.. Respondent

PRAYER: Criminal Revision filed under Section 397 r/w 401 of the Criminal Procedure Code, to call for the records of the order passed by the learned Principal District and Sessions Judge, Virudhunagar District, Sriviliputtur in Crl.M.P.No.3114 of 2023 in C.A.No.80 of 2023 dated 22.06.2023 and modify the first condition.

For Petitioner : Mr.A.Manikandan

ORDER

The petitioner herein has filed this Criminal Revision Case against the order passed by the learned Principal District and Sessions Judge,



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Virudhunagar District at Srivilliputtur in Crl.M.P.No.3114 of 2023 in C.A.No.80 of 2023, dated 22.06.2023, insofar as the first condition is concerned.

2. The petitioner is the accused in S.T.C.No.2020 of 2021, on the file of the learned Judicial Magistrate No.1, Sivakasi. The respondent has initiated the proceedings under Section 138 of the Negotiable Instruments Act, against the petitioner.

3. The learned trial Judge after perusal of the records and evidence adduced in S.T.C.No.220 of 2021, convicted the petitioner for the offence under Section 138 of the Negotiable Instruments Act, by order dated 22.05.2023. Challenging the same, the petitioner filed an appeal before the learned Principal District and Sessions Judge, Srivilliputhur, Virudhunagar District, in C.A.No.80 of 2023, along with Crl.M.P.No.3114 of 2023, to suspend the execution of sentence of imprisonment imposed on him. The learned appellate judge, as per Section 142 A of the Negotiable Instruments Act, directed the petitioner to deposit 25% of the amount for granting suspension of sentence. Challenging the same, the petitioner herein has filed this petition before this Court.



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4. This Court considered the submissions made by the learned counsel appearing for the petitioner and perused the materials available on records as well as the relevant provisions of the Act.

5. The learned appellate Judge, after carefully considering the provisions of the Act correctly imposed the condition and also taken into consideration the submission made by the petitioner. Further, it is revealed from the records that the petitioner has filed the petition for extension of time to comply the order of the appellate Court and the same was dismissed. Hence, the petitioner challenging the original condition imposed by the appellate Court has filed the present revision.

6. In view of the above factual circumstances and also as per law, this Court is not inclined to entertain this revision case. Accordingly, this Criminal Revision case stands dismissed.

21.08.2023

NCC :Yes/No
Index :Yes/No
Internet :Yes/No
sbm



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- To
- 1.The Judicial Magistrate No-1,
Sivakasi.
 - 2.The Principal District and Sessions Judge,
Srivilliputhur, Virudhunagar District.
 3. The Section Officer, Criminal Section,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN, J.

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