



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

Tuesday, the Thirty First day of January Two Thousand and Twenty
Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.1590 of 2023

IN

CRL RC(MD) No.109 of 2023

K.RAJAPANDIAN

... REVISION PETITIONER/APPELLANT/ACCUSED

Vs

J.NAGALAKSHMI

... RESPONDENT/RESPONDENT/COMPLAINANT

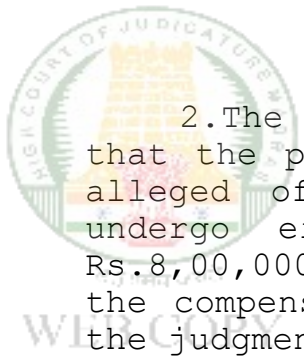
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Suspend the Sentence imposed by the Learned 5th Additional District and Sessions Judge, Madurai in Crl.A.No.28 of 2021 dt.28.7.2022 by confirming the judgment passed in STC.No.521 of 2017 dt.29.1.2022 on the file of the Learned Judicial Magistrate No.II, (Fast Track Court Magistrate Level) and enlarge the petitioner on bail pending disposal of above criminal revision petition.

Prayer in CRL RC(MD). 109/ 2023 :

To call for the records pertaining to the judgment in Crl.A.No.28 of 2021 dt.28.07.2022 on the file of Learned 5th Additional District and Sessions Judge, Madurai by confirming the judgment passed in STC.No.521 of 2017 dt.29.01.2021 on the file of the Learned Judicial Magistrate No.II Fast Track Magistrate Level, Madurai and set aside the same by allowing the above criminal revision.

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.MUTHUPANDIAN A.P., Advocate for the petitioner, while admitting the CRL RC., the court made the following order:-

This petition is filed to suspend the sentence imposed by the Court of the learned V Additional District and Sessions Judge, Madurai, in C.A.No.28 of 2021, dated 28.07.2022, in confirming the conviction and sentence imposed by the learned Judicial Magistrate No.II, Madurai, in S.T.C.No.521 of 2017 dated 29.01.2021, 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 255(ii) of Cr.P.C, sentenced to undergo eight months SI and to pay compensation amount of Rs.8,00,000- to the complainant within three months, in default pay the compensation two months S.I. The appellate Court has confirmed the judgment of trial Court.

3. The learned counsel appearing for the petitioner submitted that the revision case is preferred on the ground that the transaction is admitted by the petitioner. The learned counsel for the petitioner would submit that out of the cheque amounts, Rs.2,50,000/- is paid and the petitioner is ready to pay the remaining amount.

4. Based on the undertaking given by the petitioner, 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 a 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 learned Judicial Magistrate No.II, Madurai, and on further condition that the petitioner shall appear before the concerned Court once in a week i.e., on the first working day of every week at 10.30 a.m. pending revision.

sd/-
31/01/2023

/ TRUE COPY /

/02/2023

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

indu

TO

1 THE V ADDITIONAL DISTRICT AND SESSIONS JUDGE, MADURAI.

2 THE JUDICIAL MAGISTRATE NO.II,
FAST TRACK MAGISTRATE LEVEL MADURAI.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

+1 CC to M/s.A.P.MUTHUPANDIAN, Advocate (SR-1493[I] dated 31/01/2023
ORDER IN
CRL MP(MD) No.1590 of 2023
IN
CRL RC(MD) No.109 of 2023
Date :31/01/2023