



CRL MP(MD) No.14142 of 2023

WEB COPY

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

Monday, the Ninth day of October Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

CRL MP(MD) No.14142 of 2023

in

CRL RC(MD) No.70 of 2023

S.S.N.CHOKKALINGAM

... PETITIONER/ PETITIONER/ PETITIONER/
APPELLANT/RESPONDENT/ACCUSED

Vs

DHINAKARAN

... RESPONDENT/ RESPONDENT/ RESPONDENT/
RESPONDENT/APPELLANT/COMPLAINANT

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to relax the condition para No.4 the petitioner is directed to appear before the concerned court once in a month i.e., on the first working day of every English Calendar month at 10.30a.m. until further orders imposed dated 18.04.2023 in CrI.MP.No.5537 of 2023 in CrI.MP(MD) No.977 of 2023 in CRL RC(MD).70 OF 2023 against CrI.A.No.97 of 2019 on the file of the Additional District and Session Judge(FTC), Tenkasi against S.T.C.No.178/2017 on the file of Judicial Magistrate, Alangulam and thus render justice.

Prayer in CRL RC(MD). 70/ 2023 :

To set aside the order dated 08.12.2022 CrI.A.No.97/2019 on the file of Additional District Judge(FTC),Tenkasi,confirming the judgment dated 07.08.2019 in S.T.C.No.178/2017 on the file of Judicial Magistrate Court,Alangulam and to allow the above Criminal Revision.



CRL MP(MD) No.14142 of 2023

WEB COPY

Order : This Criminal Miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.SELVAM.D, Advocate for the petitioner and of M/S.ILAYARAJA.R on behalf of the Respondent, the court made the following order:-

This petition has been filed to relax the condition imposed on the petitioner in CrI.M.P(MD).No.5537 of 2023 in CrI.M.P(MD).No.977 of 2023 in CrI.R.C(MD).No.70 of 2023 dated 18.04.2023.

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 Negotiable Instrument Act and sentenced him to undergo simple imprisonment for a period of six months and to pay a sum of Rs.3,50,000/- (Rupees Three Lakhs and Fifty Thousand only) as compensation to the respondent, in default to undergo simple imprisonment for a period of one month in S.T.C.No.178 of 2017, on the file of the Judicial Magistrate Court, Alangulam and the same was confirmed by the learned Additional District Judge (FTC), Tenkasi in CrI.A.No.97 of 2019 dated 08.12.2022.



CRL MP(MD) No.14142 of 2023

WEB COPY

3. Challenging the same, the Criminal Revision Case has been filed before this Court along with a petition to suspend the sentence and the same was allowed by this Court on 20.01.2023 with certain conditions. The one of the condition is 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. until further orders. Thereafter, the petitioner has filed in CrI.M.P(MD).No.5537 of 2023 in CrI.R.C(MD).No.70 of 2023 before this Court seeking modification of the said condition and the same was allowed on 18.04.2023 and the petitioner was directed to appear before the concerned Court once in a month (i.e) on the first working day of every English calendar month at 10.30 a.m. until further order.

4. The learned counsel for the petitioner submitted that the petitioner has been complying with the condition regularly. He further submitted that the petitioner suffered some health issues and he is taking continuous treatment. Therefore, this petition has been filed for relaxation of the said condition.

5. Heard the learned counsel for the petitioner and perused the materials available on record.



CRL MP(MD) No.14142 of 2023

WEB COPY

6. Taking into consideration of the submissions made by learned counsel for the petitioner, this petition is allowed and the condition imposed by this court in CrI.M.P(MD).No.5537 of 2023 in CrI.M.P(MD).No.977 of 2023 in CrI.R.C(MD).No.70 of 2023 dated 18.04.2023 is relaxed.

sd/-
09/10/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

TO

1 The Additional District and Session Judge(FTC), Tenkasi.

2 The Judicial Magistrate, Alangulam
Tirunelveli.

+1. C.C. to M/S.PRAVEENNATH. S, Advocate SR.No.46978



WEB COPY



CRL MP(MD) No.14142 of 2023

ORDER
IN
CRL MP(MD) No.14142 of 2023
Date :09/10/2023

SSA/VRS/19.10.2023/5P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023