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Crl.O.P.No.20110 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.20110 of 2024

Alok Singhanian

... Petitioner

Vs.

M/s.G.T.Jayanti Agrochem (India) Private Limited,
Rep.by D.Dhanasekar, Manager,
Silver Cascade Complex,
No.41, Muthiah Mudali Street, Sowkarpet,
Chennai-600 079

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to set aside the order dated 12.08.2024 passed by the Principal Sessions Judge, Chennai in Crl.M.P.No.22520 of 2024 in C.A.No.577 of 2024 on the file of Principal Judge City Civil Court, Chennai.

For Petitioner : Mr.P.Raja

ORDER

The petitioner herein who was absent on the day of judgment has preferred appeal against the sentence and conviction and sought for suspension of sentence. The lower appellate Court has rightly dismissed



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the application for suspension of sentence filed in absentia. The petitioner is not granted suspension of sentence, since he was not present before the trial Court on the day of judgment.

2. This Court finds no error or illegality in the said order. It is always open to the petitioner to surrender before the Court and seeks for suspension of sentence. Taking note of the fact that the complaint for committing offence under Section 138 of Negotiable Instruments Act, was taken on file in the year 2013 in C.C.No.394 of 2013 and the judgment was pronounced after 11 years on 11.07.2024. If the petitioner surrender before the Court below, the surrender application along with application for suspension of sentence shall be considered on the same day, provided he deposit 20% of the compensation amount awarded, along with his application for suspension of sentence

3. With the above condition, this Criminal Original Petition is disposed of.

22.08.2024

Neutral Citation : Yes/No
rpl



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The Principal Sessions Judge, Chennai



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Dr.G.JAYACHANDRAN,J.

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