



Crl.M.P.(MD)No.10933 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Tenth day of December Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE P.VADAMALAI

Crl.M.P.(MD)No.10933 of 2024

in

Crl.R.C.(MD)No.991 of 2024

P.PETCHIMUTHU

... Petitioner / Petitioner

Vs

M.SENTHIL ARUMUGAM

... Respondent / Respondent

Criminal Miscellaneous 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 of imprisonment and conviction dated 12.07.2024 in Crl.A.No.34 of 2021 on the file of the Hon`ble Principal Sessions Judge, Thoothukudi confirming the judgment and conviction dated 15.04.2021 in S.T.C.No.788 of 2015 passed by the learned Judicial Magistrate, Srivaikundam pending disposal of the Criminal Revision Petition.

Prayer in CRL RC(MD). 991/ 2024 :

To call for the records and set aside the judgment dated 12.07.2024 made in Crl.A.No.34 of 2021 on the file of the Hon`ble Principal Sessions Court, Thoothukudi confirming the judgment and conviction dated 15.04.2021 made in S.T.C.No.788 of 2015 passed by the learned Judicial Magistrate, Srivaikundam whereby the Petitioner was found guilty for the offence under section 138 of Negotiable Instrument Act and sentenced him to undergo 9 months simple imprisonment and awarded a sum of Rs.1,87,500/- as compensation being 1 ½ times of the Cheque amount.

<https://www.mhc.tn.gov.in/judis>



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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.A.MOHAN, Advocate for the petitioner, the court made the following order:-

Today, this matter has been listed under the caption “for reporting compliance”.

2. This Court had already passed a conditional order on 16.10.2024, in Crl.M.P. (MD)No.10933 of 2024 in Crl.R.C.(MD)No.991 of 2024, directing the petitioner to deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) to the credit of S.T.C.No.788 of 2015 on the file of the learned Judicial Magistrate, Srivaikundam on or before 15.11.2024. Thereafter, the matter was listed for reporting compliance on 18.11.2024. On that date, the learned counsel for the petitioner submitted that due to illness, the petitioner was not in a position to comply with the condition, and this Court granted further two weeks time to the petitioner to deposit the above said amount of Rs.75,000/- (Rupees Seventy Five Thousand only), and adjourned the matter to 10.12.2024 for reporting compliance.

3. When the matter is taken up for hearing today (10.12.2024), the learned counsel for the petitioner submitted that so far, the petitioner has not complied with the direction of this Court, dated 16.10.2024.

4. Hence, the relief of suspension of sentence granted to the petitioner by this Court on 16.10.2024, in Crl.M.P.(MD)No.10933 of 2024 in Crl.R.C.(MD)No.991 of



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2024, is hereby cancelled.

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5. The learned trial Judge is at liberty to proceed further into the matter.

sd/-
10/12/2024

/ TRUE COPY /

/ 12 /2024

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN

TO

1 THE JUDICIAL MAGISTRATE,
SRIVAIKUNDAM

2. DO-THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.

3. THE JUDGE, PRINCIPAL SESSIONS COURT,
THOOTHUKUDI.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
Crl.M.P.(MD)No.10933 of 2024
in
Crl.R.C.(MD)No.991 of 2024
Date :10/12/2024



Crl.M.P.(MD)No.10933 of 2024

PSP/ VR /SAR /24.12.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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