

Karnataka High Court

M H Gopal vs K N Ramesh on 8 December, 2009

Author: Jawad Rahim

IN THE HIGH COURT OF KARNATAKA AT BANGALORE
DATED THIS THE 08TH DAY OF DECEMBER, 2009

BEFORE

THE HON'BLE MR. JUSTICE JAWAD RAHIMI-T.';V;...[:f _

MISC CRL.NO. 5174/09
CRL.R.P. No. 1042=.OF, -20G9"EA..'- . '

BETWEEN:

M.H.GOPAL, S/O LATE HOBALANAYA EKAA I
AGED ABOUT 53\ :EARS, .RT'D'D --
RESIDING AT RRA1KA;SH'_ 'NII, ,AYAU, '»1\$"7 MAIN
'C' CROSS, NRUEATHUNGA*ExTENS.ION,
TUMKUR... _w.3.'-I 'F <,*

I _ I PETITIONER
(BY SRIIN SIUR.ESF!A,1;.ADV,_) *~. "

AND :

N . RAMESH,, "S/O NARINBYANAPPA,
AGED_ABOU*3i"43'I»¥EAR's_T,
RESIDING ATNC3 U116/117, IN SY.NO.101, OF
NAGARABHAVI v,IL'L.A'GE, 15"" STAGE,
SWMAIN-,...I\$ALvAi'e NAGAR, BANGALORE -- 560 007
" _ , RESPONDENT

>k>i<*

CRL. IS FILED U/S 389 CR.P.C BY THE

AD\!4QCATE_E'}FOR THE PETITIONER PRAYING THAT THIS
HON"BLE_ COURT MAY BE PLEASED TO SUSPEND THE

"».SAENTE'\$x1CE, ETC

'~.,_r.-'THIS MISC. CRL. IS COMING ON FOR ADMISSION ON
A THIS DAY, THE COURT MADE THE FOLLOWING:~«~

(fix/,

ix)

ORDER

Heard the learned counsel for petitioner Vo-.n_ the application filed under Section 397 Cr.P.C, by suspension of sentence is sought. Perusedtf:the-.o:Vg"iio'un'd*s"2 urged therein.

2. Considering the giro.undsV"uVrg'ed in,»'s'Liup,port '_ofuti'ie", application and other attenVd'i~ng _circu'm_xst'ances, I am satisfied that the petitioner *'has;rm'a.de"out a case. Hence, the order regarding sevn»te.n_ce p,ag5ed'~rie9o,c';No.20065/1999 dated '___b~/fthie"X\/:5'AC't?iiVi;*'~':Bangaiore City and confirmed by tofficegrp Fast Track Court--II in Cri. Agixio.%'3llo;.ro3*datee«.16.-10-2009, be and the same is hereby sespende.d the following conditions: The petitioner shall deposit 25% of the amount _ : '«.c-oVir'e,r_ed under the cheque within three weeks from if The learned counsei for petitioner submits V. . 'tr'i--at::2SG/o of the amount covered under the cheque has already been deposited. If that be so, it shall _ f be the compliance with this order;

if 2) He shall execute a bond before the trial court for a sum of Rs.2S,000/~ with one surety for the likesum to the satisfaction of the trial court undertaking to appear before this Court or trial court as may be directed in case of faiiure of this petition.

3. Accordingly, the MISC. CRL. NO. 5174{:(§%09 is aléowed.

VK/GH