



IN THE COURT OF SESSIONS AT CHENNAI

Present : Tmt.S.Alli, M.L.,

Principal Sessions Judge.

Wednesday, the 19th day of July, 2023

Crl.M.P.No.17293/2023

in

C.A.No.411/2023

in

C.C.No.7678/2014

(on the file of the Metropolitan Magistrate, FTC-I, Egmore @ Allikulam, Chennai)

B.B.Jadeja,
Proprietor of Tirupati Enterprises,
GF-10, Vijay Complex,
Near Vasna Bus Stand,
Ahmedabad-380007,
Gujarat.

.... Petitioner/Appellant/Accused

Vs.

Caravel Logistics Pvt. Ltd.,
Represented by Mrs.Dhanya,
Senior Manager – Legal,
Pantheon Plaza,
No.484, 3rd Floor, Pantheon Road,
Egmore, Chennai-600008.

.... Respondent/Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s.N.Rajesh Kannan and N.Hemalatha, Counsel for the petitioner, upon hearing the counsel for the petitioner, this Court delivered the following,

ORDER

1. The petitioner seeks suspension of sentence pending disposal of the appeal.

2. The Petitioner/Appellant herein is the accused in C.C.No.7678/2014 on the file of the learned Metropolitan Magistrate, FTC-I, Egmore @ Allikulam, Chennai. On 20.6.2023, judgment was pronounced in the above case and the petitioner was found guilty u/s.138 of N.I. Act and sentenced to undergo one year Simple Imprisonment.

3. Learned counsel for the petitioner would submit that the petitioner has fair chance of success in the appeal. Hence, prays to suspend the sentence.

4. This court has also perused the memorandum of appeal and the submission made by the petitioner's counsel. The trial court suspended the sentence till the appeal period is over.

5. As already stated supra, the petitioner/appellant/accused was ordered to undergo simple imprisonment for a period of one year and in these circumstances, it may not be right to hold that the petitioner has to serve the sentence during the pendency of the appeal.

6. Considering the above facts, this Court is inclined to suspend the sentence on condition.

7. Accordingly, the sentence of imprisonment imposed on the petitioner by the lower Court alone is hereby suspended till the disposal of the appeal and the petitioner is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- with two sureties each for a likesum to the satisfaction of the learned Metropolitan Magistrate, FTC-I, Egmore @ Allikulam, Chennai.

8. The appeal has been made over to I Additional Sessions Judge, Chennai.

9. The appeal is posted to 17.8.2023.

Delivered by me today in open court.

S ALLI

Digitally signed by S
ALLI
Date: 2023.07.19
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Principal Sessions Judge

Copy to

The Metropolitan Magistrate, FTC-I, Egmore @ Allikulam, Chennai.

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