

**Order on application filed
u/s 389 of Cr.P.C.**

Being aggrieved by the judgment and conviction order passed by the XIV Addl. CMM, Mayohall Unit, Bengaluru, in CC.No. 56457/2018, dated 17.01.2020, the appellant has challenged the correctness and legality of the said judgment and order of conviction.

The appellant has filed application u/s 389 of Cr.P.C, praying for stay of operation and execution of Judgment and order of conviction dated 17.01.2020, in CC.No. 56457/2018.

Heard and perused.

I have perused the contents of the application filed u/s 389 of Cr.P.C. I have gone through the appeal memo and on perusal of the documents produced along with appeal and grounds stated in the application, I am of the opinion that, the application filed by the appellant is to be allowed. Hence, in the interest of justice, it is just and proper and necessary to allow the application, filed by the Appellant, subject to condition that, the Appellant shall deposit 20% of the cheque amount, within 60 days. Hence, I proceed to pass the following:-

ORDER

The application filed u/s 389 of Cr.P.C. is hereby allowed. Consequently, the execution and operation of judgment, Order of conviction and sentence, passed by the learned XIV Addl CMM Court, Mayohall Unit, Bengaluru, in CC.No. 56457/2018, dated

17.01.2020, is hereby suspended, subject to condition that, appellant shall deposit 20% of cheque amount, within 60 days from today.

The appellant/accused shall execute a personal bond for a sum of Rs.15,000/-, with one surety for like sum, to the satisfaction of the trial court, within 60 days.

Issue notice on appeal memo to the respondent. Call on 19.03.2020.

LXXIII Addl. City Civil & Sessions
Judge, Bangalore.