

**ORDERS ON APPLICATION FILED BY
APPELLANT U/S. 389(1) OF CR.PC.,**

After having heard the learned counsel for the appellant, perused the appeal memo and the affidavit annexed to the application.

Having regard to the grounds of appeal and the facts stated by Appellant in the affidavit annexed to the instant application, the court is of the opinion that Appellant is entitled for suspension of sentence conditionally. Accordingly, I pass the following:-

ORDER

Application filed by the Appellant/accused under Sec.389(1) of Cr.P.C. is allowed. The sentence of fine passed by the XXXIII Addl. Chief Metropolitan Magistrate, Mayohall Unit, Bengaluru in C.C.No.52647/2015 dated:02.01.2020 directing the Appellant/accused to pay a fine of Rs.5,000/- and compensation of Rs.5,75,500/- and in default shall undergo simple imprisonment for 3 months or 1 year is stayed subject to the following:

CONDITIONS

1. Appellant/accused shall deposit fine amount of Rs.5,000/- and 20% of the compensation amount in the trial court within 60 days from this day.

2. Immediately after depositing of fine amount and 20% of the compensation amount the Appellant/accused shall appear before the trial court and execute bail bond in a sum of Rs.1,00,000/- with a surety of likesum.

Intimate the Order to the XXXIII Addl. Chief Metropolitan Magistrate, Mayohall Unit, Bengaluru. Issue notice of appeal Memo to the respondent and call LCR by:30.03.2020.

LXXIV Addl. CC & SJ, B'luru.