

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 4022/2022

(Arising out of impugned final judgment and order dated 29-01-2020 in CRLA No. 582/2012 passed by the High Court of Judicature at Madras)

SRI SUJIES BENEFIT FUNDS LIMITED

Petitioner(s)

VERSUS

M. JAGANATHUAN

Respondent(s)

([HEARD BY : HON. HIMA KOHLI AND HON. AHSANUDDIN AMANULLAH, JJ.]
IA No. 64064/2022 - EXEMPTION FROM FILING O.T.)

Date : 13-08-2024 This matter was called on for pronouncement of judgment today.

For Petitioner(s) Mr. B Ragunath, Adv.
Mrs. N.C. Kavitha, Adv.
Mr. Vijay Kumar, AOR

For Respondent(s) Mr. S Nagamuthu, Sr. Adv.
Mrs. S. Yamunah Nachiar, AOR
Ms. Ruhini Dey, Adv.

Hon'ble Mr. Justice Ahsanuddin Amanullah pronounced the reportable judgment of the Bench comprising Hon'ble Ms. Justice Hima Kohli and His Lordship.

Leave granted.

The reasons stated in the signed reportable judgment is as follows:

"the Appellate Court's order as also the impugned judgment are set aside. The order of the learned Trial Court stands restored albeit with certain modifications. It is considered appropriate to direct the respondent to pay fine amounting to one and a half (1½) times the amount mentioned in the cheque. Accordingly, the respondent is held liable to pay an amount of

Rs.28,50,000/- (Rupees Twenty Eight Lakhs and Fifty Thousand). Further, as has been averred by the respondent in his compliance affidavit that he is 86 years old and living with his wife who is also advanced in age and without issue, the sentence of imprisonment is waived, however, subject to payment, in terms of the present judgment within eight months from today, failing which such sentence of simple imprisonment for one year shall stand revived."

The appeal is allowed in terms of signed reportable judgment.

All pending applications are disposed of.

(NEETA SAPRA)
COURT MASTER (SH)

(RENU BALA GAMBHIR)
COURT MASTER (NSH)

(Signed reportable judgment is placed on the file)