

Crl.M.P.No.10986 of 2016
in
Criminal Appeal No.735 of 2016

P.VELMURUGAN, J.

This petition has been filed by the petitioner seeking to suspend the sentence of imprisonment passed by the learned Chief Judicial Magistrate-cum-Special Judge, Krishnagiri, in SPL.C.C.No.46 of 2007, on 27.09.2016.

2. The learned counsel appearing for the petitioner would submit that totally there are two accused in SPL.C.C.No.46 of 2007 and both of them were convicted by the learned Chief Judicial Magistrate-cum-Special Judge, Krishnagiri, for the offence under Section 7 of the Prevention of Corruption Act, 1988 and sentenced to undergo rigorous imprisonment for a period of 6 months and to pay a fine of Rs.1,000/- each and in default, to undergo simple imprisonment for a period of 1 month and also convicted for the offence under sections 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988 and sentenced to undergo rigorous imprisonment

for a period of 1 year and to pay a fine of Rs.1,000/- each and in default, to undergo simple imprisonment for a period of 1 month, pending disposal of the above Criminal Appeal.

3. The learned counsel for the petitioner further submitted that the first accused in Spl. C.C.No.46 of 2007 is died and he has also produced a copy of the Death Certificate. The petitioner, who is A.2, in the said case, has filed this petition seeking suspension of sentence.

4. Heard the learned Additional Public Prosecutor appearing for the respondent.

5. Considering the facts and circumstances of the case and also considering the fact that since there are some arguable points raised in the grounds of criminal appeal, this Court is inclined to suspend the substantive sentence of imprisonment alone, pending appeal, with the following conditions:-

(i) The petitioner shall be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to

the satisfaction of the learned Chief Judicial Magistrate-cum-Special Judge, Krishnagiri, and

(ii) on further condition that the petitioner shall report before the said Court on the first working day of every month at 10.30 a.m., until further orders.

01.11.2016

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