

Crl.M.P.No.11698 of 2016**in****Crl.A.No.755 of 2016****P.VELMURUGAN, J.**

The petitioner, has filed this petition to suspend the execution of conviction and sentence dated 14.10.2016 passed in Spl.C.C.No.57 of 2014 on the file of the Learned Special Judge (Special Court for Trial of cases under Prevention of Corruption Act), Salem and release him on bail pending the Criminal Appeal.

2. It is seen from the Judgment made by the Learned Learned Special Judge (Special Court for Trial of cases under Prevention of Corruption Act), Salem, that the petitioner is convicted for the offence under Section under Sections 7 and 13(2) r/w 13(1)(d) of the Prevention of Corruption Act 1988. Prevention of Corruption Act 1988, and for the offence under Section 7 was sentenced to undergo one year rigorous imprisonment and to pay fine of Rs.10,000/-, and in default to undergo six months simple imprisonment. For the offences under Section 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, was sentenced to undergo two years rigorous imprisonment and to pay fine of Rs.15,000/- in default to undergo one year simple imprisonment. Both the sentences were ordered to run concurrently.

3. Mr.Ar.L.Sundaresan, learned Senior Counsel for M/s. AL. Ganthimathi, learned counsel appearing for the petitioner submitted that the petitioner has a fair chance of success in the appeal and prayed for his sentence to be suspended.

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4. Mr.P.Govindarajan, learned Additional Public Prosecutor submitted that the petitioner is responsible for the offence committed.

5. Considering the fact that there are arguable points involved in the appeal and further, the appeal is not likely to be taken up for final hearing in the near future, this Court is inclined to grant the relief of suspension of sentence to the petitioner.

6. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is directed to be enlarged on bail on condition that he shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty five thousand only) with two sureties each for a likesum to the satisfaction of the Learned Special Judge (Special Court for Trial of cases under Prevention of Corruption Act), Salem within a period of 15 days from the date of receipt of a copy of this order and on further condition that the petitioner shall report before the concerned Court on the first working day of every month at 10.30 a.m. till the disposal of the appeal.

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