

Crl.M.P.No.12071 of 2016
in
Crl.A.No.766 of 2016

P.VELMURUGAN, J.

The petitioner, has filed this petition to suspend the sentence imposed upon him on 24.10.2016 by the Special Judge and Chief Judicial Magistrate, Tiruvallur in Special Case No.5 of 2008 pending the Criminal revision.

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

3. Mr.S.Ilamuvaludhi, 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 Special Judge and Chief Judicial Magistrate, Tiruvallur, 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 English calender month at 10.30 a.m., until further order.

14.11.2016

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