

Crl.M.P.No.578 of 2016 in**Crl.A.No.53 of 2016****A.SELVAM,J.**

This petition has been filed praying to suspend the substantive sentence imposed against the petitioner in Calendar Case No.44 of 2012 by the XII Additional Special Judge for CBI Cases, Chennai.

2. It is averred in the petition that the petitioner has been shown as 2nd accused in Calendar Case No.44 of 2012, wherein he has been found guilty under Section 120-B of the Indian Penal Code r/w. Sections 7 and 12 and 13(2) r/w.13(1)(d) of the Prevention of Corruption Act, 1988 and sentenced to undergo 2 years rigorous imprisonment and also imposed a fine of Rs.3000/- with usual default clause. Further, he has been found guilty under Section 12 of the Prevention of Corruption Act, 1988 and sentenced to undergo 1 year rigorous imprisonment and also imposed a fine of Rs.3000/- with usual default clause. Against the convictions and sentences passed by the trial Court, Criminal Appeal No.53 of 2016 has been filed on the file of this Court. It is further stated in the petition that the petitioner has remitted the fine amount. The trial court has also suspended the substantive sentence imposed against the petitioner. Under the said circumstances, present petition has been filed for getting the relief sought therein.

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3. Considering the above said factual aspects, the relief sought can be granted.

In the result, this **petition is allowed**. The substantive sentence imposed against the petitioner in Calendar Case No.44 of 2012 is alone suspended till the disposal of Crl.A.No.53 of 2016.

21.01.2016

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