

Crl.M.P.No.9211 of 2016
in
Crl.A.No.662 of 2016

R.SUBBIAH, J

The present petition has been filed by the petitioners / A.1 and A.2 to suspend the sentence imposed on them by the learned Principal Special Judge for CBI Cases / VIII Additional City Civil Court, Chennai, in C.C.No.12 of 2006 dated 18.8.2016 and to enlarge them on bail pending appeal.

2. The trial Court convicted and sentenced the petitioners / A.1 and A.2 as detailed below:-

Accused	Conviction	Sentence
A.1 / first petitioner.	(i) Section 13(1)(e) read with 13(2) of the Prevention of Corruption Act, 1988. (ii) Section 465 read with 471 I.P.C (8 counts)	(i) Two years rigorous imprisonment and fine of Rs.10,000/-, in default to undergo six months simple imprisonment. (ii) One year rigorous imprisonment and fine of Rs.1,000/-, in default to undergo three months simple imprisonment.
A.2 / second petitioner	(i) Section 465 read with 471 I.P.C (8 counts)	(i) One year rigorous imprisonment and fine of Rs.1,000/-, in default to undergo three months simple imprisonment.

3. Learned counsel appearing for the petitioners submitted that there are several infirmities and inconsistencies found in the prosecution case and there are contradictions in the material particulars between the evidence of the prosecution witnesses. Further, he has submitted that the fine amount was already paid and the trial Court has suspended the sentence imposed on the petitioners till 17.9.2016. Thus, he prays for suspension of sentence and to release the petitioners on bail.

4. I have heard the learned Special Public Prosecutor for CBI Cases.

5. Considering the facts and circumstances of the case and in view of the fact that there are arguable points involved in the appeal as contended by learned counsel for the petitioners and further the appeal is not likely to be taken up for final hearing in the near future, this Court is of the considered view that the petitioners are entitled to the relief of suspension of sentence.

6. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioners are directed to be enlarged on

bail on each of them 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 Principal Special Judge for CBI Cases / VIII Additional City Civil Court, Chennai, and on further condition that the petitioners shall appear before the said Court, once in two months, on the first working day at 10.30 a.m. until further orders.

31.08.2016

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DATED: 31.8.2016