



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty Fourth day of November Two Thousand Sixteen

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PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL MP (MD) No.11332 of 2016

IN

CRL A (MD) No.435 of 2016

S.RENGASAMY

... APPELLANT/SOLE ACCUSED

Vs

THE STATE OF TAMIL NADU,
REP. BY ITS THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION WING,
SIVAGANGAI, SIVAGANGAI DISTRICT
(CRIME NO.8 OF 2000)

... RESPONDENT/COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence and grant bail to the Appellant / sole accused against the Judgement dated 05.11.2016 in Special C.C.No.4 of 2014 on the file of the Special Court for cases under the Prevention of Corruption Act, Sivagangai District in Crime No.8 of 2000 on the file the Respondent Police pending disposal of the inst Criminal appeal on such terms and conditions as may be deemed fit.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.T.LAJAPATHI ROY, Advocate for the petitioner and of Mr.P.KANDASAMY, Government Advocate (Crl.side) on behalf of the Respondent, the court made the following order:-

The accused in Special C.C. No.4 of 2014, on the file of the Special Court for Prevention of Corruption Act cases, Sivagangai, while challenging his conviction and sentence, seeks appeal bail under Section 389(1) Cr.P.C.

2. After trial, he has been convicted and sentenced as under:

Conviction	Sentence
Sections 7 of Prevention of Corruption Act, 1988.	3 years R.I. each + Fine Rs.1,000/-, i/d 6 Months R.I., each.



Section and 13(2) r/w 13(1) (d) of Prevention of Corruption Act, 1988.	3 years R.I. each + Fine Rs.1,000/-, i/d 6 Months R.I., each.
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3. Fine amount has been paid and receipt for payment of fine has also been filed along with the appeal.

4. The learned counsel for the petitioner submitted that there are very many legal infirmities in the conviction recorded by the Trial Court and they are required to be revised.

5. The learned Government Advocate (Criminal Side) submitted that appreciating the evidence adduced, the Trial Court has rightly convicted and appropriately sentenced the petitioner. He has no serious objection for allowing this petition.

6. In the facts and circumstances, perusing the impugned Judgment and the materials on record, I am of the view that certain eminently arguable points are involved in this criminal appeal. They are required to be examined in detail in the main criminal appeal. Further, it will take some time for the disposal of the criminal appeal.

7. On considerations, ordered as under:

(i) Appeal bail granted.

(ii) Substantial sentence alone is suspended on condition that the petitioner shall execute a bond for Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties for the like sum each to the satisfaction of the learned Special Judge, Special Court for Prevention of Corruption Act cases, Sivagangai,

(iii) The petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m., until further orders.

sd/-

24/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SPECIAL JUDGE

<https://hcservices.courts.gov.in/hcservices>
SPECIAL COURT FOR PREVENTION OF CORRUPTION ACT CASES
SIVAGANGAI.



2 THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION WING,
SIVAGANGAI, SIVAGANGAI DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.T.LAJAPATHI ROY Advocate SR.No.73023

ORDER

IN

CRL MP (MD) No.11332 of 2016

IN

CRL A (MD) No.435 of 2016

Date :24/11/2016

pmu

SH/SKS-RR/SAR-3:28.11.2016:3P/5C