



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

Thursday, the Twenty Second day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice G.CHOCKALINGAM

CRL MP(MD) No.12515 of 2016

IN

CRL A(MD) No.479 of 2016

S.M. SAMENATHAN

FORMERLY INSPECTOR OF POLICE(CRIME),
JAIHINDPURAM POLICE STATION,
MADURAI.

... PETITIONER/APPELLANT/ACCUSED NO.I

Vs

THE STATE REP.BY ,
THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION,
MADURAI DETACHMENT,
CRIME NO. 13 OF 2010.

... RESPONDENT/RESPONDENT/COMPLAINANT

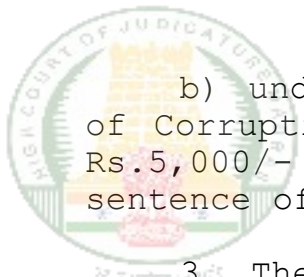
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence imposed by the Judgement dated 02.12.2016 made in Special Case No. 75 of 2011 on the file of the Special Court for Trial of Prevention of Corruption Act Cases Madurai and enlarge the Petitioner on bail pending disposal of the above Appeal.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.AJMAL ASSOCIATES, Advocate for the petitioner and of MR.P.KANNITHEVAN, learned Government Advocate (Crl.side) on behalf of the Respondent, while admitting the Criminal Appeal, the court made the following order:-

Mr.P.Kannithevan, learned Government Advocate (Crl.side) takes notice for the respondent police.

2. This petition has been filed to suspend the sentence imposed by the learned Special Judge for Trial P.C. Act Cases, Madurai in Special C.C.No.75 of 2011, dated 02.12.2016, wherein the appellant/A1 was found guilty under Sections 7,13(1)(d) r/w Section 13(2) of the Prevention of Corruption Act, 1988 and convicted and sentenced him as follows:-

a) For the offence under Section 7 of the Prevention of Corruption Act to under go R.I. for two years and to pay a find of Rs.5,000/- in default to undergo S.I. for three months.



b) under Section 13(1)(d) r/w Section 13(2) of the Prevention of Corruption Act to undergo R1 for 2 years and to pay a fine of Rs.5,000/- in default to undergo SI for three months. All the sentence of imprisonment were ordered to run concurrently.

3. The learned counsel for the petitioner submitted that the petitioner is not involved in the offence and therefore, the sentence may be suspended.

4. The learned Government Advocate (Criminal Side) has no objection to allow this petition.

5. Considering the nature of offence and also considering the age of the appellant/accused, I am of the view that the appellant is entitled for bail. Accordingly, the petition stands allowed and the substantive sentence of imprisonment alone is suspended and the appellant is directed to be released on bail on her executing a bond for Rs. 10,000/- (Rupees Ten Thousand only), with two sureties each for a like sum to the satisfaction of the learned Special Judge for Trial P.C. Act Cases, Madurai, and on such release, the appellant shall report before the said court on the first working day of every month, till the disposal of the appeal.

sd/-

22/12/2016

/ TRUE COPY /

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

TO

1 THE SPECIAL JUDGE FOR TRIAL OF P.C. ACT CASE, MADURAI.

2 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION MADURAI DETACHMENT.

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

+1. C.C. to M/S.AJMAL ASSOCIATES Advocate SR.No.83033

rj2

CSL/SKN/SAR-III/27.12.2016: 2P/5C

ORDER

IN

CRL MP(MD) No.12515 of 2016

IN

CRL A(MD) No.479 of 2016

Date :22/12/2016