



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

Thursday, the Nineteenth day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL MP(MD) Nos.4008 and 4009 of 2016
IN
CRL A(MD) No.168 of 2016

1 M.GANESAN
2 G.TAMILARASI

... PETITIONERS/ACCUSED No.8 & 22
IN CRL MP(MD) No.4008/2016
IN CRL A(MD) No.168 of 2016

1 V.KANDASAMY
2 K.GUNASEKARAN

... PETITIONERS/ACCUSED No.12 & 25
IN CRL MP(MD) No.4009/2016
IN CRL A(MD) No.168 of 2016

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
E.O.W.II, KARUR.

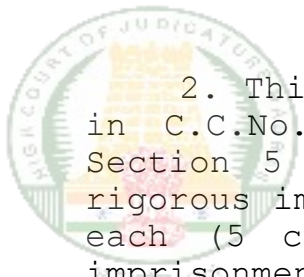
... RESPONDENT/RESPONDENT
IN BOTH THE PETITIONS

Prayer in CRL MP(MD) Nos.4008 and 4009 of 2016 in CRL A(MD) No.168 of 2016:

Petitions praying that in the circumstances stated therein and in the petitions filed therewith the High Court will be pleased to Suspend the sentence dated 26.4.2016 made in C.C. No.77 of 2008 on the file of the Special Court Under Tamilnadu Protection of interest of Depositors in financial Establishment Act 1997 Madurai pending disposal of the above appeal.

Order : These petitions coming on for orders upon perusing the petitions filed in support thereof and upon hearing the arguments of M/S N.SHANMUGASELVAM, Advocate for the petitioner in both the petitions and of MRS.S.PRABHA, Government Advocate (Crl.side) on behalf of the Respondents in both the petitions, the court made the following order:-

The petitioners seek for suspension of the substantive sentence of imprisonment imposed on them by the learned Judge of Special Court under Tamil Nadu Protection of Interest of Depositors in Financial Establishment Act, 1997, Madurai, in C.C.No.77 of 2008 by the judgment dated 26.04.2016.



2. This Criminal Appeal has been filed challenging the judgment in C.C.No.77 of 2008 convicting the accused for offence under Section 5 of TNPID Act and sentenced them to undergo six months rigorous imprisonment to each (for 5 counts) with a fine of Rs.500/- each (5 counts) and in default to undergo three months simple imprisonment per each count.

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3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side), who would submit that fine amount has already been paid by the petitioners.

4.The petitioner has raised substantial grounds in the appeal. Since the appeal will not be taken up immediately, it will be in the interest of justice, the sentence can be suspended and the accused can be ordered to be released on bail.

5. Accordingly, the substantive sentence imposed upon the petitioners/A-8 and A-12 in C.C.No.77 of 2008 on 26.04.2016 by the learned Judge of Special Court under Tamil Nadu Protection of Interest of Depositors in Financial Establishment Act, 1997, Madurai, is suspended and the accused are directed to be released on bail on the following conditions:-

a) The substantive sentence of imprisonment alone shall be suspended pending disposal of the appeal on each executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties each for the like sum to the satisfaction of the learned Special Judge under Tamil Nadu Protection of Interest of Depositors in Financial Establishment Act, 1997, Madurai.

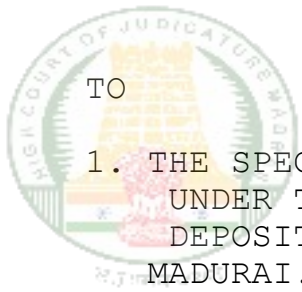
b) On such release, the petitioners/A-8 and A-12 shall report before the Court of learned Special Judge, TNPID Act Cases, Madurai, on the first day of every English calendar month until further orders.

6. Post the Criminal Appeal on 03.06.2016.

sd/-
19/05/2016

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



TO

1. THE SPECIAL JUDGE
UNDER TAMILNADU PROTECTION OF INTEREST OF
DEPOSITORS IN FINANCIAL ESTABLISHMENT ACT, 1997,
MADURAI.

2. THE INSPECTOR OF POLICE,
E.O.W.II, KARUR

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

+ 2 C.C. to M/S N.SHANMUGASELVAM Advocate SR.Nos. 2665, 26666

ORDER
IN
CRL MP(MD) Nos.4008 and
4009 of 2016
IN
CRL A(MD) No.168 of 2016
Date :19/05/2016

VS

TE/NGM-DP/SAR-III : 20/05/2016 : 3P/6C