

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Fourth day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice N. AUTHINATHAN

CRIMINAL MISCELLANEOUS PETITION Nos.10700 to 10709 of

2017 and 10726 & 10727 /2017

IN CRL A.363, 366, 398, 365, 352, 354, 399, 400, 372 & 373/2017

R.ARUNACHALAM [PETITIONER/ACCUSED IN CRL.MP.NO.10700/2017
IN CRL.A.NO.363/2017]

R. GOPAL [PETITIONER/ACCUSED IN CRL.MP.NO.10701/2017 IN
CRL.A.NO.366/2017]

1 G. PUNNIYAMOORTHY [PETITIONER/ACCUSED IN
2 M. AKBAR ALI CRL.MP.NO.10701/2017IN CRL.A.NO.366/2017]

R. SIVAKUMAR [PETITIONER/ACCUSED IN CRL.MP.NO.10702/2017
IN CRL.A.NO.398/2017]

MOHAMMED HENEEFA [PETITIONER/ACCUSED IN CRL.MP.NO.10704/2017
IN CRL.A.NO.365/2017]

A. MARUTHACHALAM [PETITIONER/ACCUSED IN CRL.MP.NO.10705/2017
IN CRL.A.NO.352/2017]

M. VIJAYAMUTHURAMAN [PETITIONER/ACCUSED IN CRL.MP.NO.10706/2017
IN CRL.A.NO.354/2017]

D. BASKAR [PETITIONER/ACCUSED IN CRL.MP.NO.10707/2017
IN CRL.A.NO.355/2017]

R. CHANDRA [PETITIONER/ACCUSED IN CRL.MP.NO.10708/2017
IN CRL.A.NO.399/2017]

R. RANGASAMY [PETITIONER/ACCUSED IN CRL.MP.NO.10709/2017
IN CRL.A.NO.400/2017]

P. KANAGARAJ [PETITIONER/ACCUSED IN CRL.MP.NO.10726/2017
IN CRL.A.NO.372/2017]

D. PACHIYAPPAN [PETITIONER/ACCUSED IN CRL.MP.NO.10727/2017
IN CRL.A.NO.373/2017]

Vs

1 STATE REP.BY [RESPONDENT IN CRL.MP.Nos.
THE DEPUTY SUPERINTENDENT OF POLICE, 10700 to 10709/2017 IN
ECONOMIC OFFENCES WING-II, CRL.A.NOS.363,366,398,
SALEM DISTRICT. 365,352,354,399,400/2017]

2 STATE REP.BY [RESPONDENT IN CRL.MP.NO.10726/2017
THE DEPUTY SUPERINTENDENT OF POLICE, CRL.A.NO.372/2017]
ECONOMIC OFFENCES WING-I, SALEM DISTRICT.

Petition praying that in the circumstances stated therein
the High Court will be pleased to

(i)extend the time of suspension of time granted in
Crl.M.P.No.7935/2017 in Crl.A.No.363/2017 dated 11.07.2017
(Crl.MP.Nos.10700/2017 in CRL.A.363/2017)

(ii) extend the interim bail granted by this Hon'ble Court
in Crl.MP.No.7978 of 2017 in Crl.A.NO.366/2017 dated 11.07.2017
in another 45 days pending disposal of the Crl.A.No.366/2017
(Crl.MP.Nos.10701/2017 in CRL.A.366/2017)

(iii) extend the interim bail granted by this Hon'ble Court
in Crl.MP.No.7914 of 2017 in Crl.A.NO.359/2017 dated 11.07.2017
in another 45 days pending disposal of the Crl.A.No.359/2017
(Crl.MP.Nos.10702/2017 in CRL.A.359/2017)

(iv)extend the time of suspension of sentence period order
passed in C.A.No.398/2017 dated 11.07.2017
(Crl.MP.Nos.10703/2017 in CRL.A.398/2017)

(v)extend the time of suspension of time granted in
Crl.M.P.No.7937/2017 in Crl.A.No.365/2017 dated 11.07.2017
(Crl.MP.Nos.10704/2017 in CRL.A.365/2017)

(vi) extend the interim bail granted by this Hon'ble Court in
Crl.MP.No.7817 of 2017 in Crl.A.NO.352/2017 dated 11.07.2017 in
another 45 days pending disposal of the Crl.A.No.352/2017
(Crl.MP.Nos.10705/2017 in CRL.A.352/2017)

(vii) extend the interim bail granted by this Hon'ble Court in
Crl.MP.No.7819 of 2017 in Crl.A.NO.354/2017 dated 11.07.2017 in

another 45 days pending disposal of the Crl.A.No.354/2017
(Crl.MP.Nos.10706/2017 in CRL.A.354/2017)

(viii) extend the interim bail granted by this Hon'ble Court in Crl.MP.No.7820 of 2017 in Crl.A.NO.355/2017 dated 11.07.2017 in another 45 days pending disposal of the Crl.A.No.355/2017
(Crl.MP.Nos.10707/2017 in CRL.A.355/2017)

(xi) extend the time of suspension of sentence period order passed in C.A.No.399/2017 dated 11.07.2017
(Crl.MP.Nos.10708/2017 in CRL.A.399/2017)

(x) extend the time of suspension of sentence period order passed in C.A.No.400/2017 dated 11.07.2017
(Crl.MP.Nos.10709/2017 in CRL.A.400/2017)

(xi) extent the time of suspension of time granted in Crl.MP.No.8063 & 8062 of 2017 in Crl.A.No.372 & 373 of 2017 dated 11.07.2017 (Crl.MP.Nos.10726 & 10727/2017 in Crl.A.NO.372 & 373/2017)

Order : These petitions coming on for orders upon perusing the petition and upon hearing the arguments of M/S.M.N.BALAKRISHNAN, Advocate for the petitioner (CRL.MP.NO.10700/2017 IN CRL.A.NO.363/2017) and of MR. K. MATHAN. KUPPUSAMY, Advocate for the petitioner, ((Crl.MP.Nos.10701/2017 in CRL.A.366/2017) and MR. S. DORAISAMY, Advocate for the petitioner (Crl.MP.Nos.10702,10705,10706 & 10707/2017 in CRL.A.Nos.359 352, 354 & 355 /2017) and of MR. C. PRAKASAM, Advocate for the petitioner (CRL.MP.NO.10703,10708 & 10709 /2017 IN CRL.A.NO.398,399 & 400/2017) and MR. S. SHANKAR, Advocate for the petitioner (Crl.MP.Nos.10704/2017 in CRL.A.365/2017) and MR. M. RAJASEKHAR, Advocate for the petitioner (Crl.MP.Nos.10726 & 10727/2017 in CRL.A.372 & 373/2017) of MR. R. SEKAR, Govt. Advocate (Crl. Side) on behalf of the Respondent (IN ALL THE PETITIONS) the court made the following order:-

The petitioners were convicted for the offence under Section 5 of the TNPID Act and sentenced to undergo imprisonment. Aggrieved by the order of conviction and sentence they have preferred appeals. Pending disposal of the appeals they were granted interim bail by suspending the sentence so as to enable them to settle the dues to the depositors. These petitions have been filed seeking extension of period of suspension.

2.Learned counsel for the parties would submit that they tried to deposit Rs.1,00,00,000/- (Rupees One Crore only) in to the Trial Court to the credit of the case, but the Trial Court was not inclined to receive the amount as there was no order or direction from this Court to receive the amount. It is pointed

out by the learned counsel for the parties that the District Revenue Officer, Salem, is the competent authority and has been dealing with the properties belonging to the members of the Financial Institution and action has been taken to proceed against those properties and therefore, they may be permitted to deposit a sum of Rs.1,00,00,000/- (Rupees One Crore only) on or before 31.08.2017, before the District Revenue Officer, Salem/The Competent Authority and seek further time for settlement of the balance money payable to the depositors.

3.Having considered the representations made by the parties, this Court is inclined to extend the period of suspension / interim bail granted to the petitioners till 31.08.2017 subject to the condition that the petitioners jointly should deposit Rs.1,00,00,000/- on or before 31.08.2017 before the District Revenue Office/Competent Authority.

4.Learned Government Advocate shall inform the Police officers not to effect any arrest till 31.08.2017.

5.Post the matter on 01.09.2017.

-sd/-

24/08/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SPECIAL JUDGE, SPECIAL COURT,
UNDER TNPID ACT CASES, COIMBATORE

2 THE DISTRICT REVENUE OFFICER
SALEM /THE COMPETENT AUTHORITY

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS

4 THE DEPUTY SUPERINTENDENT OF POLICE
ECONOMIC OFFENCES WING II, SALEM

5 THE DEPUTY SUPERINTENDENT OF POLICE
ECONOMIC OFFENCES WING I, SALEM

+1 C.C. to M/S.M.N.BALAKRISHNAN Advocate on payment of
necessary charges Sr.Nos.16234

+1 C.C. to M/S.K. KUPPUSAMY Advocate on payment of
necessary charges Sr.Nos.16243

+1 C.C. to M/S.C. PRAKASAM Advocate on payment of necessary
charges Sr.Nos.16272

+1 C.C. to M/S.S. DORAISAMY Advocate on payment of
necessary charges Sr.Nos.16261

+3 C.C. to M/S.M. RAJASEKHAR Advocate on payment of
necessary charges Sr.Nos.16233

Order

in

CRL MP Nos.10700 to 10709 of 2017 and 10726 & 10727 /2017
IN CRL A.363, 366, 398, 365, 352, 354, 399, 400, 372 & 373/2017

Date :24/08/2017

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

MD: 24/08/2017