

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Third day of November Two Thousand Seventeen

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL MISCELLANEOUS PETITION No.14676 of 2017

IN CRL A.741/2017

1 J.VIJAY KUMAR, [APPELLANTS]
3 C.KAMALAHARAN,
3 T.GOVINDAN,

Vs

1 STATE BY [COMPLAINANT/ RESPONDENT]
THE INSPECTOR OF POLICE,
CENTRAL BUREAU OF INVESTIGATION,
ANTI CORRUPTION BRANCH,
HADDOWS ROAD, CHENNAI-600 006.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Appeal No.741/2017 on the file of the High Court, the High Court will be pleased to suspend the order of sentence (inflicted on the Appellants/Accused in CC No.39 of 2008 passed by the Honble XIII Additional Special Judge for CBI Cases, City Civil Court, Chennai on 31/10/2017 till the disposal of the Criminal Appeal and enlarge the Appellants on bail pending disposal of this Criminal Appeal.[CRL.MP.14676/2017]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl. Appeal No.741/2017 on the file of the High Court and upon hearing the arguments of M/S.V.S.VENKATESH, Advocate for the petitioner and of MR.K.SRINIVASAN SPECIAL PUBLIC PROSECUTOR FOR CBI CASES on behalf of the Respondent the court made the following order:-

Seeking to suspend the sentence imposed on the appellants/A-1, A-2 & A-3 by the learned XIII Additional Special Judge for CBI Cases, City Civil Court, Chennai on 31.10.2017, in C.C.No.39 of 2008 and to enlarge the appellants/ A-1, A-2 & A-3 on bail pending disposal of criminal appeal, the appellants/ A-1, A-2 & A-3 are before this Court with this petition.

2. Heard the learned counsel for the appellants and the learned Special Public Prosecutor (for CBI Cases) appearing for the respondent.

3. The appellants/A-1, A-2 & A-3 filed Crl.M.P.No.4979 of 2017 on 31.10.2017 before the Learned XIII Additional Special Judge for CBI Cases to suspend the sentence imposed on them and the learned Additional Special Judge for CBI cases suspended the sentence till 29.11.2017. Since arguable points have been raised in the appeal,

this criminal miscellaneous petition is allowed and the sentence passed by the Learned XIII Additional Special Judge for CBI Cases on 31.10.2017 in C.C.No.39 of 2008, is suspended on the following conditions:-

(i) The appellants/ A-1, A-2 & A-3 shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) each, with two sureties each for a like sum to the satisfaction of the Learned XIII Additional Special Judge for CBI Cases. The time for furnishing the bond along with the sureties is 15 days.

(ii) Further, the appellants/ A-1, A-2 & A-3 shall appear before the Learned XIII Additional Special Judge for CBI Cases, City Civil Court on the first working day of every English calendar month at 10.30 a.m until further orders.

-sd/-

23/11/2017

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 XIII ADDITIONAL SPECIAL
JUDGE FOR CBI CASES, CITY CIVIL
COURT CHENNAI

2 THE SPECIAL PUBLIC PROSECUTOR
FOR CBI CASES, HIGH COURT, MADRAS

3 THE INSPECTOR OF POLICE,
CENTRAL BUREAU OF INVESTIGATION,
ANTI CORRUPTION BRANCH,
HADDOWS ROAD, CHENNAI-600 006

+1 C.C. to M/S.V.S.VENKATESH Advocate on payment of necessary
charges SR.NO. 21379

Order

in
CRL MP.14676/2017

in
CRL A.741/2017

Date :23/11/2017

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RD 27/11/2017