

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eleventh day of December Two Thousand Seventeen

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL MISCELLANEOUS PETITION No.15603 of 2017

IN CRL A.776/2017

S.A.MURALI,

[APPELLANT/ACCUSED]

Vs

STATE BY,

[RESPONDENT]

INSPECTOR OF POLICE,

VIGILANCE AND ANTI-CORRUPTION DEPARTMENT,

SALEM AT NAMAKKAL.

CR.NO.10/AC OF 2001

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal APPEAL No.776 OF 2017 on the file of the High Court, the High Court will be pleased to suspend the sentence passed in judgment in SPL.C.C.NO.54 OF 2002 on the file of the Special Judge/Chief Judicial Magistrate, Namakkal by judgment dated 28.11.2017 and until pending disposal of CRL.A.NO.776/2017.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.No.776 of 2017 on the file of the High Court and upon hearing the arguments of MR.A.RAJAKUMAR, Advocate for the petitioner and of MR. P.GOVINDARAJAN, ADDL. PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

This petition has been filed to suspend the sentence of imprisonment imposed in the judgment dated 28.11.2017 made in Spl.C.C.No.54 of 2002 on the file of the learned Special Judge/Chief Judicial Magistrate, Namakkal and enlarge the petitioner on bail, convicted and sentenced the petitioner as under:

Conviction under Section	Sentence
Section 7 of Prevention of Corruption Act, 1988	Two years simple imprisonment and to pay a fine of Rs.1,000/- in default to undergo one month simple imprisonment.
Section 13(2) r/w 13(1) (d) of Prevention of Corruption Act, 1988	Two years simple imprisonment and to pay a fine of Rs.1,000/- in default to undergo one month simple imprisonment.

2. Challenging the same, the present appeal has been filed along with this petition for suspension of sentence.

3. Taking into consideration of the submission of the learned counsels appearing on both sides, since there are some arguable points available in the appeal, I am inclined to pass the following orders: The substantive sentence imposed against the petitioner alone is suspended on condition that

(i) the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only), to the credit of Spl.C.C.No.54 of 2002 on the file of the learned Special Judge/Chief Judicial Magistrate, Namakkal, within a period of three weeks from the date of the receipt of a copy of this Order and also

(ii) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Special Judge/Chief Judicial Magistrate, Namakkal, within the said period and also

(ii) the petitioner shall appear before the said Magistrate Court on the first working day of every English calendar month, at 10.30 am, until further orders.

-sd/-
11/12/2017

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/
CHIEF JUDICIAL MAGISTRATE, NAMAKKAL.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI-CORRUPTION DEPARTMENT,
SALEM AT NAMAKKAL.

C.C. to M/S.A.RAJAKUMAR Advocate on payment of necessary
charges

Order

in
CRL MP.15603/2017

in
CRL A.776/2017

Date :11/12/2017

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
THS : 12.12.2017