

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Fifteenth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL MISCELLANEOUS PETITION No.15962 of 2017

IN CRL A.788/2017

C.MUTHUSAMY,

[PETITIONER/APPELLANT/ACCUSED]

Vs

STATE REPRESENTED BY [RESPONDENT]
DEPUTY SUPERINTENDENT OF POLICE,
SPE/CBI/ACB/CHENNAI.
RC.43(A)/02, CHENNAI.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal APPEAL No.788 OF 2017 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed by the learned IX Additional Special Judge for CBI Cases at Chennai by a judgment dated 20.11.2017 in C.C.No.14 of 2005 and enlarge the petitioner on bail pending disposal of the above CRL.A.No.788 OF 2017.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.No.788 of 2017 on the file of the High Court and upon hearing the arguments of MR.R.JOHN SATHYAN, 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:-

This petition has been filed to suspend the sentence of imprisonment imposed in the judgment dated 20.11.2017 made in C.C.No.14 of 2005 on the file of the IX Additional Special Judge for CBI Cases, Chennai and enlarge the petitioner on bail, convicted and sentenced the petitioner as under:

Conviction under Section	Sentence
Section 120-B(2) of Indian Penal Code	Six months imprisonment and to pay a fine of Rs.10,000/-
Section 420 of Indian Penal Code	Three years imprisonment and to pay a fine of Rs.10,000/-. Each in default to undergo simple imprisonment for three months.

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 C.C.No.14 of 2005 on the file of the learned IX Additional Special Judge for CBI Cases, Chennai, 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 IX Additional Special Judge for CBI Cases, Chennai, within the said period and also

iii) the petitioner shall appear before the above said Court on the first working day of every English calendar month at 10.30 a.m, until further orders.

-sd/-
15/12/2017

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 IX, ADDL. SPECIAL JUDGE,
FOR CBI CASES, CHENNAI.

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

3 THE DEPUTY SUPERINTENDENT OF POLICE,
SPE/CBI/ACB/CHENNAI.

C.C. to M/S.R.JOHN SATHYAN Advocate on payment of necessary charges

Order

in
CRL MP.15962/2017

in
CRL A.788/2017

Date :15/12/2017

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
THS : 21.12.2017