

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Second day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice N. SATHISH KUMAR

CRIMINAL MISCELLANEOUS PETITION No.7193 of 2017

IN CRL A.308/2017

TR.R.THAMBUSAMY,

[PETITIONER]

Vs

STATE REP.BY
DEPUTY SUPDT OF POLICE,
VIGILANCE AND ANTICORRUPTION,
ARIYALUR.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Appeal No.308/2017 on the file of the High Court, the High Court will be pleased to suspend the sentence passed Spl.Case No.7/2012 dated 30.5.2017 in the court of Honble Chief Judicial Magistrate/Special Judge, Ariyalur enlarge him on bail pending disposal of the criminal appeal.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl. Appeal No.308/2017 on the file of the High Court and upon hearing the arguments of MR.B,KUMAR SENIOR COUNSEL FOR M/S.A.JEENASENAN Advocate for the petitioner and of MR.E.RAJA ADDL.PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

This petition has been filed by the petitioner seeking suspension of his sentence of imprisonment.

2. The petitioner faced trial in Spl. Case No.7 of 2012 on the file of the learned Chief Judicial Magistrate/Special Judge, Ariyalur and the trial Court, by a judgment dated 30.05.2017, convicted the petitioner under section 7 and 13(2) r/w 13(1)(d) of the Prevention of Corruption Act 1988 and sentenced to undergo simple imprisonment for a period of five years for Sec.7 for other sections, seven years and a fine of Rs.32,000/-.

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

4. 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 suspend the substantive sentence of imprisonment alone. The learned Additional Public Prosecutor opposed to grant bail.

5. Accordingly, pending appeal, substantive sentence of imprisonment alone is suspended and the petitioner is released on bail on his executing a bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties each for a like sum to the satisfaction of the learned Chief Judicial Magistrate/Special Judge, Ariyalur, with further condition that he shall appear before the said court on the first working day of every month at 10.30 a.m., until further orders. (every first Monday).

-sd/-

22/06/2017

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 CHIEF JUDICIAL MAGISTRATE
SPECIAL JUDGE, ARIYALUR

2 THE ADDL. PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY

4 STATE REP.BY
DEPUTY SUPDT OF POLICE,
VIGILANCE AND ANTICORRUPTION,
ARIYALUR.

+1 C.C. to M/S.A.JEENASENAN Advocate on payment of necessary charges SR.NO. 11265

Order

in
CRL MP.7193/2017

in
CRL A.308/2017

Date :22/06/2017

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RD 23/06/2017