



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twenty Eighth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL MP (MD) No.3759 of 2017
IN
CRL A (MD) No.134 of 2017

K.SIVARAMAN,

... APPELLANT/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
SIVAGANGAI DISTRICT.
(CRIME NO.10 OF 2005)

... RESPONDENT/COMPLIANANT

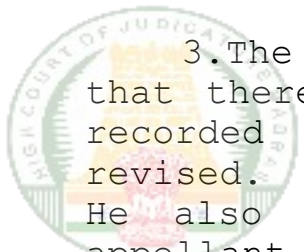
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence passed in Spl.Case No.25 of 2014 dated 20.04.2017 on the file of the Special Court for Prevention of Corruption Act Cases, Sivagangai, enlarge the petitioner/appellant /accused on bail pending disposal of above Criminal Appeal and thus render justice.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.N.MOHIDEEN BASHA, Advocate for the petitioner and of MR.P.KANDASAMY, Government Advocate (Crl.Side) for the Respondent the court made the following order:-

The appellant, who is the accused in S.C.No.25 of 2014 on the file of the learned Special Judge for PC Act cases, Sivagangai, dated 20.04.2017.

2. After trial, the petitioner has been convicted and sentenced as under:-

Conviction	Sentence
Section 7 of PC ACT, 1988	3 years RI + Rs.1,000/- fine i/d. 6 Months RI
Section 13(2) r/w. 13(1) (d) of PC Act, 1988	3 years RI + Rs.1,000/- fine i/d. 6 Months RI



3.The learned counsel appearing for the appellant submitted that there are very many legal infirmities in the conviction recorded by the Trial Court and they are required to be revised. There is *prima facie* case in favour of the appellant. He also submitted that the fine amount was paid by the appellant and the trial court has granted interim suspension till 19.05.2017. Petitioner was also on bail during trial. The petitioner is having arguable points in this appeal and they are having *prima facie* case.

4.The learned Government Advocate (Crl.side) appearing for the respondent states that appreciating the evidence adduced, the Trial Court has rightly convicted and appropriately sentenced the petitioner and there is no *prima facie* case in favour of the petitioner herein, however, he has not raised any serious objection to grant the order of suspension in favour of the petitioner.

5. In the facts and circumstances, perusing the impugned Judgment and the materials on record, I am of the view that certain eminently arguable points are involved in this criminal appeal. They are required to be examined in detail in the main criminal appeal. Further it will take some time for the disposal of the criminal appeal.

6. On considerations, ordered as under:-

(i) Appeal bail granted.

(ii) Substantial sentence alone is suspended till the disposal of appeal, on condition that the petitioner shall execute a bond for Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties for the like sum each to the satisfaction of the learned Special Judge for PC Act cases, Sivagangai,

(iii) The petitioner shall appear before the concerned Court on the first working day of every month at 10.30 a.m., until further orders.

sd/-

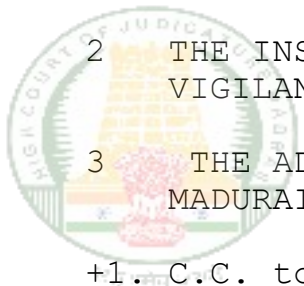
28/04/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

1 THE SPECIAL JUDGE FOR
PREVENTION OF CORRUPTION ACT CASES,



2 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION, SIVAGANGAI DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.N.MOHIDEEN BASHA Advocate SR.No.21582

GJM/BS/SAR-4-3.5.17-3P-5C

ORDER
IN
CRL MP (MD) No.3759 of 2017
IN
CRL A (MD) No.134 of 2017
Date :28/04/2017