



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

Friday, the Twenty Sixth day of May Two Thousand Seventeen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL MP(MD) No.4079 of 2017
IN
CRL A(MD) No.407 of 2016

T.R.VIJAYARAMAN ... PETITIONER / APPELLANT / ACCUSED NO:2

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE, SPE
CENTRAL BUREAU OF INVESTIGATION,
ACB, CHENNAI . RC 61(A)/2004
C.C.NO.7 OF 2008 ... RESPONDENT / RESPONDENT / COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence imposed by the Judgement in C.C.No.7 of 2008, dated 07/10/2016, by the II Additional District Court for CBI Cases, Madurai, and enlarge the petitioner on bail pending disposal of the above 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.AJMAL KHAN Senior Counsel for AJMAL ASSOCIATES, Advocate for the petitioner and of M/S.S.JEYAKUMAR Special Public Prosecutor on behalf of the Respondent this court while admitting the Criminal Appeal made the following order:-

The second accused in C.C.No.7 of 2008, on the file of the learned II Additional District Judge for C.B.I., Cases, Madurai, while challenging his conviction and sentence, seeks appeal bail under Section 389(1) of Cr.P.C.

2. After trial, he has been convicted and sentenced as under:

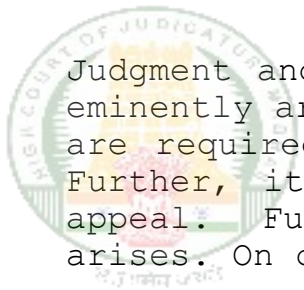
Conviction	Sentence
Section 120-B r/w 420 I.P.C., & 420I.P.C.	5 year R.I. + Fine Rs.5,000/-, i/d 3 months S.I.

3. The learned counsel for the petitioner submitted that there are very many legal infirmities in the conviction recorded by the Trial Court and they are required to be revised.

<https://hcservices.ecourts.gov.in/hcservices/>

4. The learned Special Public Prosecutor submitted that appreciating the evidence adduced the Trial Court has rightly convicted and appropriately sentenced 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. Further, by which, the necessity to consider this petition arises. On considerations, ordered as under:

(i) The petitioner is directed to surrender before the trial Court on or before 29.05.2017.

(ii) The sentence alone is suspended

(iii) Substantial sentence alone is suspended on condition that the petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties for the like sum each to the satisfaction of the learned II Additional District Judge for C.B.I., cases, Madurai.

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

sd/-
26/05/2017

/ TRUE COPY /

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

TO

- 1 THE IIND ADDITIONAL DISTRICT JUDGE,
FOR CBI CASES,
MADURAI
- 2 THE INSPECTOR OF POLICE, SPE
CENTRAL BUREAU OF INVESTIGATION,
ACB, CHENNAI .
- 3 THE SPECIAL PUBLIC PROSECUTOR FOR CBI CASES
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. C.C. to M/S.AJMAL ASSOCIATES Advocate SR.No.22931

ORDER
IN
CRL MP (MD) No.4079 of 2017
IN
CRL A (MD) No.407 of 2016
Date :26/05/2017