

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty First day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL MISCELLANEOUS PETITION No.10292 of 2018

IN CRL A.454/2018

VIJAY KHANNA

[PETITIONER]

vs

STATE REP. BY

[RESPONDENT]

DEPUTY SUPERINTENDENT OF POLICE,
SPE, CBI, ACB, CHANNAI.

(REF.CRIME NO: RC.NO.MA1-2013 A-0013)

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Appeal No.454/2018 on the file of the High Court, the High Court will be pleased to suspense the sentence passed by a judgment dated 31.07.2018 in C.C.No. 7 of 2014 by the learned XII- Additional Special Judge, CBI Cases, Chennai till disposal of the main Criminal Appeal.[CRL.MP.NO.10292/2018]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl. Appeal No.454/2018 on the file of the High Court and upon hearing the arguments of M/S.V.VIJAYAKUMAR 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:-

The petition has been filed to suspend the sentence of imprisonment imposed in the judgment dated 31.07.2018 made in C.C.No.7 of 2014 on the file of the learned XII-Additional Special Judge for CBI Cases at Chennai, pending disposal of the appeal.

2. The petitioner [A3]/appellant herein is the accused in C.C.No.7 of 2014 on the file of the XII-Additional Special Judge for CBI Cases at Chennai. He was found guilty of the offences u/s. 120(B) of IPC r/w Section 12 Prevention of Corruption Act and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1.	Section 12 of P.C Act	2 years R.I and fine of Rs.10,000/- in default to undergo S.I for 3 months.
2.	120 (B) IPC	6 moths R.I and fine of Rs.5,000/- in default to undergo S.I for 1 month for each of the accused.

3. The case of the prosecution is that A1 and A2, by abusing their official power in the capacity of DIG of Police and Sub-Inspector of Police, entered into criminal conspiracy with A3, the petitioner herein and A-1 and A-2 demanded and accepted illegal gratification from A3 through their respective Savings Bank Accounts in the matter of supply of stores materials, viz., 2464 Nos. of Coat Combat Materials and expediting the payment of bills of A3 and thereby, committed the said offences.

5. The learned Additional Public Prosecutor has raised objections for suspending the sentence.

7. Hence, the sentence of imprisonment imposed on the petitioner by the trial Court alone is hereby suspended till the disposal of the appeal and the petitioner is ordered to be enlarged on bail on his executing a bond for Rs.50,000/- [Rupees Fifty thousand only] with two sureties each for a like sum to the satisfaction of the learned XII-Additional Special Judge, CBI Cases at Chennai and on further condition that the petitioner shall report before the trial Court on the first working day of every English Calendar month at 10.30 a.m., commencing from October 2018, until further orders.

21/08/2018

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TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

1 THE XII-ADDITIONAL

<https://ncservices.ecourts.gov.in/ncservices/> CASES AT CHENNAI

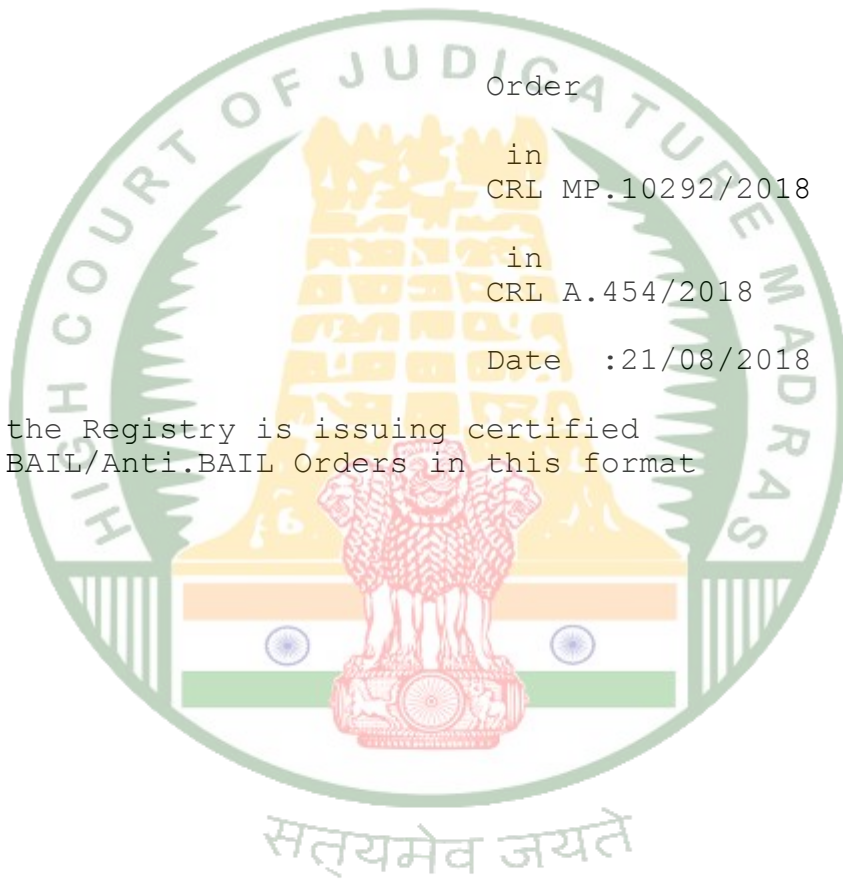
2 THE SPECIAL PUBLIC PROSECUTOR
FOR CBI CASES, HIGH COURT, MADRAS

3 STATE REP. BY
DEPUTY SUPERINTENDENT OF POLICE,
SPE, CBI, ACB, CHANNAI.
(REF.CRIME NO: RC.NO.MA1-2013 A-0013)

+1 C.C. to M/S.V.VIJAYAKUMAR Advocate on payment of necessary
charges SR.NO. 15632

Order
in
CRL MP.10292/2018
in
CRL A.454/2018
Date :21/08/2018

From 7.2.2001 the Registry is issuing certified
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RD 21/08/2018



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