

Bail Slip

The Appellant/Accused viz Mr.D. Swaminathan S/o Duraisamy was released on bail dated 13.07.2012 made in M.P. 1/2012 in CrI.A. 368/2012 on the file of this Hon'ble Court, Madras.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2018

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.A.No.368 of 2012

D.Swaminathan Appellant

/Vs/

State, rep. by Inspector of Police,
CBI/SPE/ACB, Chennai
(R.C.No.23 of 1990).

... Respondent

PRAYER: Criminal Appeal filed under sections 374 (2) of the Criminal Procedure Code, against the Judgment and order of conviction passed in C.C.No.53 of 2011 dated 14.05.2012 on the file of learned XIV Additional Special Judge for CBI Cases, Chennai and pray for setting aside the same.

For Appellant : Mr.S.Ramesh
for M/s.V. Purushothaman

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor for CBI Cases

* * * * *

J U D G M E N T

The criminal appeal has been filed by the appellant against the conviction and sentence imposed by the learned XIV Additional Special Judge for CBI Cases, Chennai, in C.C.No.53 of 2011 dated 14.05.2012, wherein the accused has been convicted for the offence under Section 120 (B) of IPC, and sentenced to undergo one year Rigorous Imprisonment and to pay a fine of Rs.500/- in default to undergo Simple Imprisonment for three months, under Section 467 r/w 471 of IPC convicted and sentenced to undergo one year Rigorous Imprisonment and to pay a fine of

Rs.500/- in default to undergo Simple Imprisonment for three months, under Section 420 of IPC convicted and sentenced to undergo one year Rigorous Imprisonment and to pay a fine of Rs.500/- in default to undergo Simple Imprisonment for three months, under Section 5(2) r/w 5(1)(d) of Prevention of Corruption Act 1947, convicted and sentenced to undergo one year Rigorous Imprisonment and to pay a fine of Rs.500/- in default to undergo Simple Imprisonment for three months, and under Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988 convicted and sentenced to undergo one year Rigorous Imprisonment and to pay a fine of Rs.500/- in default to undergo Simple Imprisonment for three months. The sentences were ordered to run concurrently.

2. The learned counsel for the appellant had earlier submitted that the appellant had expired on 04.05.2014 and thereby the counsel for the appellant was asked to verify from the legal heirs of the appellant, whether they intended to implead and proceed with the appeal on merits. Today on instructions he would submit that there are no legal heirs to the appellant.

3. The learned Special Public Prosecutor for CBI Cases has also furnished the death certificate of the appellant namely, D.Swaminathan, s/o L.Duraiswamy, and he would submit that the appellant had expired on 04.05.2014

4. Recording the submissions of both counsels, the Criminal Appeal is dismissed as abated.

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

सत्यमेव जयते

Jer
To

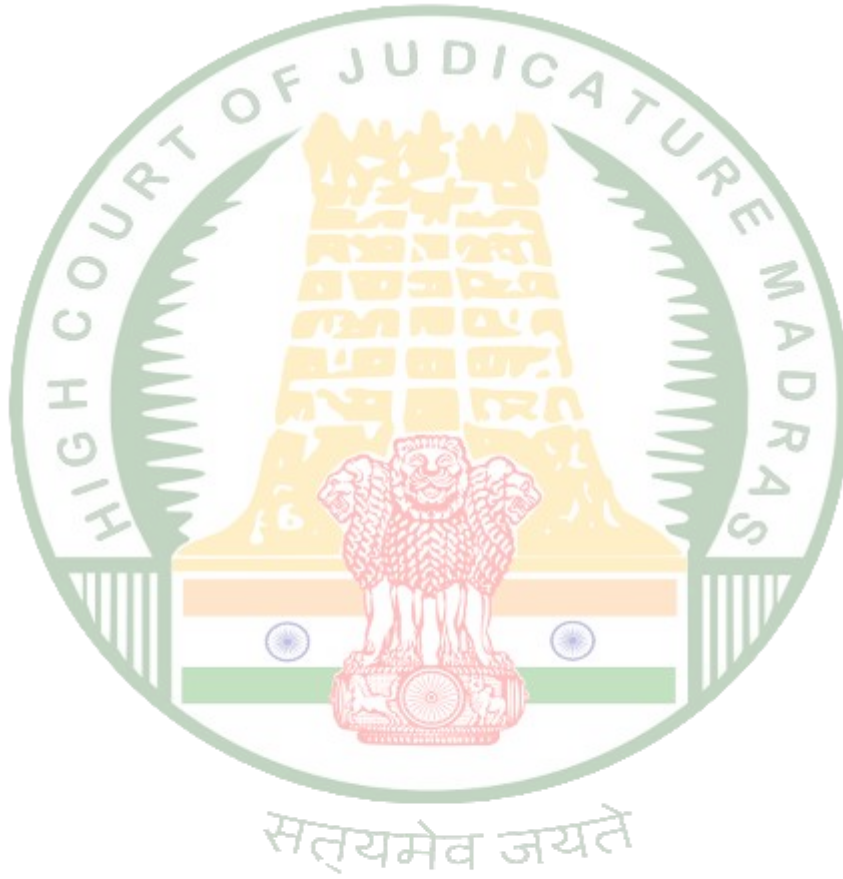
1. The XIV Additional Special Judge for CBI Cases
Chennai.
2. The Inspector of Police,
CBI/SPE/ACB, Chennai
3. The Special Public Prosecutor for CBI Cases
High Court of Madras.

WEB COPY

4. The Section officer
Criminal Section, High Court, Madras 104.

Crl.A.No.368 of 2012

AK(CO)
SP(15/11/2018)



WEB COPY