

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2018

CORAM:

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

Crl.A.No.442 of 2007

Zakir Hussain

... Appellant / Accused No.2

/Vs/

State, rep. by Inspector of Police,
SPL/CBI/ACB, Chennai
(R.C.No.MA1/99A 039).

... Respondent / Complainant

PRAYER: Criminal Appeal filed under sections 374 (2) of the Criminal Procedure Code, to set aside the conviction and sentence imposed on the appellant in C.C.No.19 of 2003 by the II Additional District Judge (CBI Cases) Coimbatore by Judgement dated 25.04.2007.

For Appellant : Mr.R.Rajan

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/A-2 against the conviction and sentence imposed by the learned II Additional District Judge (CBI Cases), Coimbatore in C.C.No.19 of 2003 dated 25.04.2007, wherein the accused has been convicted for the offence under Section 120 (B) r/w 12 of Prevention of Corruption Act, 1988 and 25 (c) of the Indian Telegraph Act, 1885 under Section 12 of the Prevention of Corruption Act, 1988 and sentenced to undergo Rigours Imprisonment for two years and to pay a fine of Rs.1,000/-, in default, to undergo Simple Imprisonment for a period of three months and sentenced to undergo one year Rigorous Imprisonment and also sentenced to one year Rigorous Imprisonment and pay a fine of Rs.5,00/-, in default to undergo Rigorous Imprisonment for one month. The sentences were ordered to run concurrently.

2. It is represented by the learned counsel for the appellant that the appellant/A-2 expired on 08.07.2016 and that he is not a Government Employee and he was a petty businessman

dealing with business of foreign goods.

3. Taking into consideration that the appellant/A-2 was stated to be a petty business man of foreign goods at Chennai and recording the fact that the appellant/A-2 is reported dead, abatement of the appeal is recorded.

4. In the result, the Criminal Appeal in respect of the appellant stands abated.

s/d-
Assistant Registrar(CS-V)

True Copy

Sub-Assistant Registrar

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To

1. The II Additional District Judge (CBI Cases) Coimbatore
2. The Inspector of Police,
SPL/CBI/ACB, Chennai
(R.C.No.MA1/99A 039).
3. The Special Public Prosecutor for CBI Cases
High Court of Madras.

Crl.A.No.442 of 2007

GMR (CO)
SP(18/09/2018)

सत्यमेव जयते

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