

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Eleventh day of January Two Thousand Eighteen

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL MISCELLANEOUS PETITION No.16150 of 2017

IN CRL A.791/2017

P.THANGAVEL

[ACCUSED / APPELLANT]

Vs

STATE REPRESENTED BY ITS,
DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
ERODE.
CR.NO.3/AC/2004/ER.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL A.791/2017 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed upon the the appellants herein by the Learned Chief Judicial Magistrate/Special Judge, Erode in Spl.C.C.No.9 of 2015 dated 16.12.2017 and release the petitioner herein on bail pending disposal of the above CRL A.791/2017 [IN CRL.MP.NO.16150 OF 2017]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL A.791/2017 on the file of the High Court and upon hearing the arguments of M/S.R.KARTHIKEYAN, Advocate for the petitioner and of MR.P.GOVINDARAJAN ADDITIONAL PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

This petition has been filed to suspend the sentence of imprisonment imposed in the judgment dated 16.12.2017 made in Spl.C.C.No.9 of 2015 on the file of the learned Chief Judicial Magistrate/Special Judge, Erode, and enlarge the petitioner on bail, convicted and sentenced the petitioner as under:

Conviction under Section	Sentence
Section 7 of Prevention of Corruption Act, 1988	Three years rigorous imprisonment and to pay a fine of Rs.5,000/- in default to undergo simple imprisonment for six months.
Section 13(2) r/w 13(1) (d) of Prevention of Corruption Act, 1988	Five years rigorous imprisonment and to pay a fine of Rs.5,000/- in default to undergo simple imprisonment for six months.

2. Challenging the same, the present appeal has been filed along with this petition for suspension of sentence.

3. Taking into consideration of the submission of the learned counsels appearing on both sides, since there are some arguable points available in the appeal, I am inclined to pass the following orders:

The substantive sentence imposed against the petitioner alone is suspended on conditions that:-

i) the petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with two sureties each for a like sum to the satisfaction of the learned Chief Judicial Magistrate/Special Judge, Erode, within a period of two weeks from the date of receipt of a copy of this order and also

ii) the petitioner shall appear before the above said Court on the first working day of every English calendar month at 10.30 a.m, until further orders.

-sd/-
11/01/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

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

TO

1 THE CHIEF JUDICIAL MAGISTRATE
SPECIAL JUDGE, ERODE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

4 THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
ERODE.

+1C.C. to M/S.R.KARTHIKEYAN Advocate on payment of necessary
charges SR NO.791

Order

in
CRL MP.16150/2017

in
CRL A.791/2017

Date :11/01/2018

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

MK:17/01/2018