

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Third day of January Two Thousand Eighteen

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL MISCELLANEOUS PETITION No.16714 of 2017

IN CRL A.816/2017

T.S.ANANTHARAJ STEPHEN,

[PETITIONER]

Vs

STATE REP BY,
THE INSPECTOR OF POLICE,
CBI/EOW/CHENNAI.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Appeal No.16714/2017 on the file of the High Court, the High Court will be pleased to suspend the sentence dated 20.12.2017 made in C.C.No.07 of 2013 by the Learned XII Additional Special Sessions Judge for CBI Cases FAC XI Additional Special Sessions Judge for CBI (Relating to Bank and Financial Institutions), Chennai-600 001.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl. Appeal No.16714/2017 on the file of the High Court and upon hearing the arguments of M/S.A.G.RAJAKUMAR, 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:-

This petition has been filed to suspend the sentence of imprisonment imposed in the judgment dated 20.12.2017 made in C.C.No.07 of 2013 on the file of the XII Additional Special Judge for CBI Cases, FAC.XI Additional Special Judge for CBI Cases and enlarge the petitioner on bail, convicted and sentenced the petitioner as under:

Conviction under Section	Sentence
Section 120B r/w 420, 201, 409, 419, 465, 467, 468 & 471 IPC and Section 13(2) r/w 13(1) (d) of Prevention of Corruption Act, 1988 and	Six months rigorous imprisonment and to pay a fine of Rs.10,000/- in default to undergo simple imprisonment for one month.
Section 420 IPC (3 Counts) and	Three years rigorous imprisonment and to pay a compensation of Rs.1.50 Crores in default to undergo simple imprisonment for eighteen months
Section 468 IPC (4 Counts), 467 IPC (3 Counts), 465 IPC (4 Counts), 471 r/w 468 IPC (4 Counts)	Two years rigorous imprisonment and to pay a fine of Rs.50,000/- in default to undergo simple imprisonment for two months.
Section 201 IPC	Six months rigorous imprisonment and to pay a fine of Rs.10,000/- in default to undergo simple imprisonment for one month

2. The learned counsel for the petitioner submits that the fine amount had been paid and the fine receipt is also enclosed along with the application for suspension of the substantive 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, this Court is of the opinion that the petitioner shall be granted bail until further order. Accordingly, sentence suspended on the following conditions:-

ii) 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 XII Additional Special Judge for CBI Cases, FAC.XI Additional Special Judge for CBI Cases, within the 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/-

03/01/2018

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 XII ADDITIONAL SPECIAL
SESSIONS JUDGE FOR CBI CASES FAC XI
ADDITIONAL SPECIAL JUDGE FOR CBI CASES.
CHENNAI-600 001

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 STATE REP BY,
THE INSPECTOR OF POLICE,
CBI/EOW/CHENNAI.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI

2 C.C. to M/S.A.G. RAJAKUMAR Advocate on payment of necessary
charges SR.NO. 189

Order

in
CRL MP.16714/2017

in
CRL A.816/2017

Date : 03/01/2018

From 7.2.2001 the Registry is issuing certified
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RD 03/01/2018