

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.14 of 2018

IN CRL A.3/2018

C.M.C.DURAI,

[ APPELLANT/ACCUSED ]

Vs

THE STATE REP BY ITS,  
THE INSPECTOR OF POLICE,  
SPE/CBI/EOW,

[ RESPONDENT ]

CHENNAI. CR.NO.R.C.NO.1 (E) /2012.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal APPEAL No.3 OF 2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed in C.C.No.7 of 2013 dated 20.12.2017 by the Learned XI Additional Special Judge for CBI CASES, Chennai pending disposal of the above CRL.A.No.3 of 2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.No.3 of 2018 on the file of the High Court and upon hearing the arguments of M/S.R.SATHISHKUMAR, 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.7 of 2013 on the file of the XI Additional Special Judge for CBI Cases, Chennai and enlarge the petitioner on bail, convicted and sentenced the petitioner as under:

| Conviction<br>under Section                                                                                                                     | Sentence                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Section 120B r/w 420, 201, 409, 419, 465, 467, 468 & 471 IPC r/w 13(1) (d) of Prevention of Corruption Act, 1988 and Section 420 IPC (3 Counts) | Three years rigorous imprisonment and to pay a fine of Rs.1,60,000/- 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 condition 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 XI Additional Special Judge for CBI Cases, Chennai, 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 XI, ADDITIONAL SPECIAL  
JUDGE FOR CBI CASES, CHENNAI.

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

3 THE INSPECTOR OF POLICE,  
SPE/CBI/EOW, CHENNAI

+1 C.C. to M/S.R.SATHISHKUMAR Advocate on payment of necessary charges-Sr.114

Order

in  
CRL MP.14/2018

in  
CRL A.3/2018

Date :03/01/2018

From 7.2.2001 the Registry is issuing certified  
copies of the BAIL/Anti.BAIL Orders in this format  
ths : 04.01.2018