

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.290 of 2018

IN CRL A.21/2018

A.SHAKUNTHALA, [PETITIONER]

Vs

THE STATE REP BY [RESPONDENT]
INSPECTOR OF POLICE, CENTRAL BUREAU OF
INVESTIGATION, ECONOMIC OFFENCES WING,
CHENNAI-600 090.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Crl.A.No.21/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed on the Petitioner/Appellant in pursuance to the Judgement and Conviction dated 20.12.2017 made in C.C.No.7 of 2013 on the file of the XI Additional Special Judge for CBI Cases Relating to Banks and Financial Institutions, Chennai-1, pending disposal of the Criminal Appeal

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.No.21/2018 on the file of the High Court and upon hearing the arguments of M/S.R.KARTHIKEYAN, Advocate for the petitioner and of MR. K. SRINIVASAN, Special 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 20.12.2017 made in C.C.No.7 of 2013 on the file of the XI Additional Special Judge for CBI Cases, relating to Banks and Financial Institutions, Chennai-1, 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),	Three years rigorous imprisonment and to pay a fine of Rs.50,000/- for each count, in default to undergo simple imprisonment for six months.
Section 471 r/w 468 IPC (4 Counts)	Two years rigorous imprisonment for each count and to pay a fine of Rs.50,000/- in default to undergo simple imprisonment for two months for each count.
Section 13(2) r/w 13(1) (d) of Prevention of Corruption Act, 1988 and	Two years rigorous imprisonment and to pay a fine of Rs.50,000/- in default to undergo simple imprisonment for six months.
Section 409 IPC	Two years rigorous imprisonment and to pay a fine of Rs.50,000/- in default to undergo simple imprisonment for three 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 XI Additional Special Judge for CBI Cases, relating to Banks and Financial Institutions, Chennai-1, 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 XI ADDITIONAL SPECIAL
JUDGE FOR CBI CASES, RELATING TO BANKS AND
FINANCIAL INSTITUTIONS, CHENNAI 1

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE STATE REP BY
INSPECTOR OF POLICE, CENTRAL BUREAU OF
INVESTIGATION, ECONOMIC OFFENCES WING,
CHENNAI-600 090.

+1 C.C. to M/S.R.KARTHIKEYAN Advocate on payment of
necessary charges Sr.No.686

Order
in
CRL MP.290/2018
in
CRL A.21/2018
Date :11/01/2018

From 7.2.2001 the Registry is issuing certified
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MD: 11/01/2018