

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.299 of 2018

IN CRL A.22/2018

M.GOPALAKRISHNAN

[PETITIONER]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
CBI/BSFC BANGALORE,
R.C.NO.7/E/1996/BLR.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Appeal No.22/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed in C.C.No.56/2000 by the judgment dated 0/01/2018 against the petitioner and release him on bail.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Criminal Appeal No.22/2018 on the file of the High Court and upon hearing the arguments of MR.SUNDER MOHAN, 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 05.01.2018 made in C.C.No.56 of 2000 on the file of the learned Principal Special Judge for CBI Cases, VIII Additional City Civil Court, Chennai - 104, and enlarge the petitioner on bail, convicted and sentenced the petitioner as under:

Conviction under Section	Sentence
Section 120B r/w 409 IPC and Section 13(2) r/w 13 (1)(d) of Prevention of Corruption Act, 1988	Three years rigorous imprisonment and to pay a fine of Rs.10,000/- in default to undergo rigorous imprisonment for six months.
Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988	Two years rigorous imprisonment and to pay a fine of Rs.10,000/- in default to undergo rigorous imprisonment for six months.
Section 409 IPC	Three years rigorous imprisonment and to pay a fine of Rs.10,000/- in default to undergo rigorous 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 VIII Additional Principal Special Judge for CBI Cases, Chennai, 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 VIII ADDITIONAL PRINCIPAL
SPECIAL JUDGE FOR CBI CASES,
CHENNAI.

2 THE INSPECTOR OF POLICE,
CBI/BSFC BANGALORE,
R.C.NO.7/E/1996/BLR.

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

+1C.C. to M/S.SUNDER MOHAN Advocate on payment of necessary charges in SR.NO. 704

Order

in
CRL MP.299/2018

in
CRL A.22/2018

Date :11/01/2018

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

MLT-19/01/2018