

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Monday, the Ninth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice P.KALAIYARASAN

CRIMINAL MISCELLANEOUS PETITION No.5671 of 2018

IN CRL A.236/2018

A.RAMANATHAN

[ PETITIONER ]

Vs

STATE OF TAMILNADU

[ RESPONDENT ]

REP. BY THE INSPECTOR OF POLICE,  
VIGILANCE AND ANTI CORRUPTION,  
CHENNAI CITY-III DETACHMENT,  
CHENNAI - 35.  
CR.NO.3/AC/2010/CC-IV.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL A.236/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence awarded in the judgment dated 04.04.2018 made in CC NO.147 of 2011 on the file of the Court of Special Court for the cases under Prevention of Corruption Act, Chennai - 104 and enlarge the petitioner on bail pending disposal of this CRL A.236/2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL A.236/2018 on the file of the High Court and upon hearing the arguments of M/S.S.KARTHIKEYAN, Advocate for the petitioner and of MR.PRABAKAR, ADDITIONAL PUBLIC PROSECUTOR (V&AC) on behalf of the Respondent the court made the following order:-

Heard both sides.

2.This petition has been filed by the petitioner/appellant seeking to suspend the order of sentence passed by the learned Special Judge, Special Court for the cases under Prevention of Corruption Act, Chennai, dated 04.04.2018, in C.C.No.147 of 2011.

3.The petitioner/appellant has been convicted and sentenced to undergo RI for 1 year and to pay a fine of Rs.1,000/-, in default to undergo SI for 3 months for the offence under Section 7 of Prevention of Corruption Act, 1988 and sentenced to undergo RI for 2

years and to pay a fine of Rs.1,000/-, in default to undergo SI for 3 months for the offence under Sections 13[2] r/w 13[1][d] of Prevention of Corruption Act, 1988.

4.Learned counsel for the petitioner/appellant contends that the trial Court itself has suspended the sentence till 03.05.2018, that the petitioner had been on bail through out the trial and that he is having fair chance of getting acquittal in the appeal and therefore, the sentence imposed on the petitioner/appellant may be suspended.

5.Learned Additional Public Prosecutor opposed for grant of suspension of sentence.

6.Considering the fact that the petitioner/appellant had been on bail through out the trial and the sentence imposed also has been suspended by the trial Court and also the entire facts and circumstances of the case, this Court is inclined to suspend the sentence imposed on the petitioner/appellant by the trial Court. Accordingly, the substantive sentence of imprisonment alone is suspended on executing a bond for a sum of Rs.10,000/- [Rupees Ten Thousand only] with two sureties each for a like sum to the satisfaction of the Special Judge, Special Court for the cases under Prevention of Corruption Act, Chennai and on further condition that the petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m till the disposal of the Appeal.

-sd/-  
09/04/2018

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 SPECIAL JUDGE,  
SPECIAL COURT FOR THE CASES UNDER PREVENTION  
OF CORRUPTION ACT, CHENNAI-104.

2 THE INSPECTOR OF POLICE,  
VIGILANCE AND ANTI CORRUPTION,  
CHENNAI CITY-III DETACHMENT,  
CHENNAI - 35.

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1C.C. to M/S.S.KARTHIKEYAN Advocate on payment of necessary  
charges in SR.NO. 6751

Order

in  
CRL MP.5671/2018

in  
CRL A.236/2018

Date :09/04/2018

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MLT-12/04/2018