

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Twenty Fifth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL MISCELLANEOUS PETITION No.6511 of 2018

IN CRL A.270/2018

SARUMATHI

[ APPELLANT / ACCUSED ]

Vs

THE STATE REP BY ITS,  
THE INSPECTOR OF POLICE,  
SPE:CBI:ACB: CHENNAI,  
SASTRIBHVAN, CHENNAI  
R.C.2009 (A) 0061.

[ RESPONDENT ]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL A.270/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence and conviction imposed on the petitioner / appellant accused 2 herein passed by the Learned Court of XIV Additional Special Judge for CBI CASES CHENNAI -104 by Judgment dated 17.04.2018 made in C.C.No.22 of 2011 and enlarge the petitioner on bail pending disposal of the above CRL A.270/2018 [IN CRL.MP.NO.6511 OF 2018]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL A.270/2018 on the file of the High Court and upon hearing the arguments of MR.K.SHANKAR Advocate for M/S.J.SRINIVASAN, 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:-

The petitioner/appellant is arrayed as second accused in C.C.No.22 of 2011 on the file of the learned XIV Additional Special Judge for CBI Cases, XIV Additional City Civil Court, Chennai. The petitioner/A2 has been convicted for the offence under Section 120 (B) IPC r/w 13(2) r/w 13(1)(e) of the Prevention of Corruption Act, 1988 and Section 13(2) r/w 13(1)(e) of the Prevention of Corruption Act, 1988 and sentenced to undergo one year Rigorous Imprisonment and to pay a fine of Rs.10,000/-, in default to undergo three months Simple Imprisonment for the offence under Section 120(B) IPC r/w 13 (2) r/w 13(1)(e) of the Prevention of Corruption Act, 1988 and to undergo Rigorous Imprisonment for one year and to pay a fine of Rs.10,000/- in default to undergo Simple Imprisonment for three months for the offence under Section 3(2) r/w 13(1)(e) of the Prevention of Corruption Act, 1988, vide impugned judgment dated 17.04.2018. The sentence imposed on the petitioner/A2 was ordered to run concurrently with each other. The petitioner prays for

suspension of sentence.

2 On perusing the memorandum of grounds of appeal, this Court finds material for arguments. Hence, the appeal has been admitted.

3 So far as the suspension of sentence is concerned, the Trial Court has already suspended the sentence till 08.06.2018.

4 Heard the learned counsel for the petitioner and the learned Special Public Prosecutor for CBI Cases.

5 In the result, the petition is ordered and the substantive sentences of imprisonment alone is suspended and the petitioner is directed to be enlarged on bail on condition that the petitioner shall deposit a sum of Rs.2,50,000/- (Rupees two lakhs and fifty thousand only) in cash to the credit of C.C.No.22 of 2011, with bond from two sureties each for a like sum to the satisfaction of the learned XIV Additional Special Judge for CBI Cases, XIV Additional City Civil Court, Chennai, within a period two weeks from today; and on further condition that, the petitioner shall appear before the said Court on the first working day of every English Calendar Month at 10.30 a.m. until further orders.

-sd/-  
25/04/2018

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 XIV ADDITIONAL SPECIAL JUDGE,  
FOR CBI CASES, XIV ADDITIONAL CITY  
CIVIL COURT, CHENNAI.

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

3 THE INSPECTOR OF POLICE,  
SPE:CBI:ACB: CHENNAI  
SASTRIBHVAN, CHENNAI

+1C.C. to M/S.J.SRINIVASAN Advocate on payment of necessary charges SR NO.8164

Order

in  
CRL MP.6511/2018

in  
CRL A.270/2018

Date :25/04/2018

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MK:25/04/2018