

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.6519 of 2018

IN CRL A.267/2018

1 D.RAMANI [PETITIONERS]
2 R.VIJAYALAKSHMI
3 R.ADHIKESAVULU

Vs

THE STATE REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
CBI, ACB, CHENNAI.
CR.NO.42/A/2010.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL A.267/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence of imprisonment imposed by the Learned Trial Judge by its Judgment dated 27.03.2018 in C.C.No.31 of 2011 on the file of the Learned XII Additional Special Judge for CBI CASES, CHENNAI pending disposal of the above Crl.A.No.267 of 2018 on the file of this Honble Court.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL A.267/2018 on the file of the High Court and upon hearing the arguments of M/S.M.PALANIVEL, 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 petitioners/appellants are arrayed as accused 1, 2 and 3 in C.C.No.31 of 2011 on the file of the learned XII Additional Special Judge for CBI cases, Chennai. The 1st petitioner/A1 has been convicted for the offence under Section 13(2) r/w 13(1)(e) of Prevention of Corruption Act, 1988 and sentenced to undergo two years Rigorous Imprisonment and to pay a fine of Rs.1,00,000/-, in default to undergo six months Simple Imprisonment; The 2nd petitioner/A2 has been convicted for the offence under Section 109 IPC r/w 13(2) r/w 13(1)(e) of Prevention of Corruption Act, 1988 and sentenced to undergo Rigorous Imprisonment for one year and also to pay a fine of Rs.50,000/-, in default to undergo Simple Imprisonment for six months; and the 3rd petitioner/A3 has been convicted for the offence under Section 109 IPC r/w 13(2) r/w 13(1)(e) of the

Prevention of Corruption Act, 1988 and sentenced to undergo Rigorous Imprisonment for one year and to pay a fine of Rs.50,000/- in default to undergo Simple Imprisonment for six months, vide impugned judgment dated 27.03.2018. The petitioners 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 27.03.2018.

4 Heard the learned counsel for the petitioners 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 petitioners are directed to be enlarged on bail on condition that each of the petitioners shall deposit a sum of Rs.5,00,000/- (Rupees five lakhs only) in cash to the credit of C.C.No.31 of 2011, with bond from two sureties each for a like sum to the satisfaction of the learned XII Additional Special Judge for CBI cases, Chennai, within a period of two weeks from today; and on further condition that the petitioners shall appear before the said Court on the first Wednesday 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 XII ADDITIONAL SPECIAL
JUDGE FOR CBI CASES, CHENNAI.

2 THE INSPECTOR OF POLICE CBI,
ACB, CHENNAI.

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

+1C.C. to M/S.M.PALANIVEL Advocate on payment of necessary
charges in SR.NO. 8149

Order

in
CRL MP.6519/2018

in
CRL A.267/2018

Date :25/04/2018

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MLT-25/04/2018