

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Third day of January Two Thousand Eighteen

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL MISCELLANEOUS PETITION No.725 of 2018

IN CRL A.39/2018

1 R.BALAKRISHNAN, [PETITIONER]
2 R.ADHITHYAN,

Vs

STATE BY, [RESPONDENT]
THE INSPECTOR OF POLICE,
CBI:EOW:CHENNAI

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Crl.A.No.39/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed on the petitioners by order dated 20.12.2017 in C.C.No.7 of 2013 on the file of the XI Additional Special Court for CBI Cases (CBI Cases relating to Banks and Financial Institutions) at Chennai and enlarging them on bail till the disposal of the appeal and enlarging them on bail till the disposal of the appeal filed by the petitioner in C.A.No. of 2018 pending on the file of this Honourable Court.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.No.39/2018 on the file of the High Court and upon hearing the arguments of M/S.V.NITHYANANDAM, Advocate for the petitioner and of 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 learned XI Additional Special Court for CBI Cases (CBI Cases relating to Banks and Financial Institutions) at Chennai, and enlarge the petitioners on bail, convicted and sentenced the petitioners as under:

Conviction under Section	Sentence
Section 120B r/w 420, 201, 409, 419, 465, 467, 468 and 471 of IPC and Section 13(2) r/w 13(1) (d) of Prevention of Corruption Act, 1988	Six months rigorous imprisonment and to pay a fine of Rs.10,000/- in default to undergo simple imprisonment for one month each.
Section 420 IPC (3 Counts)	The sentences are to run concurrently.
Section 468 IPC (4 Counts)	
Section 467 IPC (3 Counts)	
Section 465 IPC (4 Counts)	
Section 201 IPC	

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 petitioners alone is suspended on conditions that:-

i) the petitioners 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 XI Additional Special Court for CBI Cases (CBI Cases relating to Banks and Financial Institutions) at Chennai, within a period of two weeks from the date of receipt of a copy of this order and also

ii) the petitioners 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/-

23/01/2018

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
COURT FOR CBI CASES (CBI CASES RELATING TO
BANKS AND FINANCIAL INSTITUTIONS) AT CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 STATE BY,
THE INSPECTOR OF POLICE, CBI:EOW:CHENNAI

+1 C.C. to M/S.V.NITHYANANDAM Advocate on payment of
necessary charges Sr.No.1580

Order
in
CRL MP.725/2018
in
CRL A.39/2018

Date :23/01/2018

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

MD: 25/01/2018