

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Ninth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Dr Justice G.JAYACHANDRAN

CRIMINAL MISCELLANEOUS PETITION No.8616 of 2018

IN CRL A.366/2018

V.M.MARIAPPAN [PETITIONER]

Vs

DEPUTY SUPERINTENDNET OF POLICE, [RESPONDENT]
VIGILANCE AND ANTI CORRUPTION,
DHARMAPURI. CR.NO.12/AC/2009.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL A.366/2018 on the file of the High Court, the High Court will be pleased to enlarge the petitioner on bail in connection with judgement dated 07.06.2018 passed in Spl.C.C.No.3 of 2012 on the file of the Special Judge Cum Chief Judicial Magistrate, Dharmapuri pending disposal of the above CRL A.366/2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL A.366/2018 on the file of the High Court and upon hearing the arguments of MR.R.EZHILARASAN, Advocate for the petitioner and of MR.C.RAGHAVAN, GOVERNMENT ADVOCATE [CRL.SIDE] on behalf of the Respondent the court made the following order:-

The petitioner, by invoking the provisions under Section 389[1] Cr.P.C., has filed the above miscellaneous petition seeking suspension of his sentence imposed on him by the learned Special Judge, Chief Judicial Magistrate, Dharmapuri in Spl.C.C.No.3/2012 on 07.06.2018. He has been convicted for the offence under Section 7 of Prevention of Corruption Act 1988 and sentenced to undergo one year rigorous imprisonment and fine of Rs.3,000/- and in default to undergo three months simple imprisonment and for the offence under Section 13(2) read with 13(1)(d) of Prevention of Corruption Act 1988 and sentenced to undergo one year rigorous imprisonment and fine of Rs.3,000/- and in default to undergo three months simple imprisonment.

2.Heard the learned Government Advocate on the submissions made by the learned counsel for the petitioner.

3.In view of the submissions made by the learned counsel for the petitioner raising certain valid grounds challenging the legality of the Trial Court's judgment, substantive sentence of imprisonment alone is suspended until further orders on the following conditions:

a)The petitioner is directed to be enlarged on bail on execution of a bond in 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 Chief Judicial Magistrate, Dharmapuri;
and

b)the petitioner shall appear before the said Court on the first Wednesday of every month in the English Calender at 10.30 a.m. pending revision.

-sd/-

29/06/2018

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 CUM
CHIEF JUDICIAL MAGISTRATE,
DHARMAPURI.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI.

3 DEPUTY SUPERINTENDNET OF
POLICE, VIGILANCE AND ANTI CORRUPTION,
DHARMAPURI.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1C.C. to M/S.R.EZHILARASAN Advocate on payment of necessary charges IN SR.NO. 11915

Order

in
CRL MP.8616/2018

in
CRL A.366/2018

Date :29/06/2018

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

MLT-29/06/2018