

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL MISCELLANEOUS PETITION No.9529 of 2018

IN CRL A.414/2018

1 V.G.K.MOORTHY,
2 K.RAMKUMAR,

[PETITIONERS/APPELLANTS]

Vs

THE STATE REP. BY
INSPECTOR OF POLICE,
SPE/CBI.EOW,
CHENNAI.
CR.NO.RC NO.3/E/2001.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal APPEAL No.414 OF 2018 on the file of the High Court, the High Court will be pleased to Suspend the sentence imposed on the petitioners/Appellants by the Learned XI Additional Special Judge for CBI Cases relating to Banks and Financial Institutions at Chennai in C.C.No.12 of 2003 dated 22-06-2018 and release the petitioners on bail till the disposal of the above CRL.A.NO.414/2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.No.414 of 2018 on the file of the High Court and upon hearing the arguments of MR.S.ASHOK KUMAR, SENIOR COUNSEL FOR M/S.S.NAGARAJAN, 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 fourth accused in C.C.No.12 of 2003 on the file of the learned XI Additional Special Judge for CBI Cases relating to Banks and Financial Institutions, Chennai. He has been convicted for the offence under Sections 120B r/w 420 & 409 of I.P.C. and sentenced to undergo three years Rigorous Imprisonment and to pay a fine of Rs.2,00,000/-, in default to undergo six months Simple Imprisonment; convicted under Section 13(1) (d) r/w 13(2) of Prevention of Corruption Act and sentenced to undergo three years Rigorous Imprisonment together with fine of Rs.2,00,000/-, in default to undergo another six months Simple Imprisonment vide impugned judgment dated 22.06.2018. However, the sentences ordered to run concurrently and also granted set-off under section 428 Cr.P.C.. The petitioner prays for suspension of sentence.

2 The learned counsel for the petitioner submits that the fine amount has been paid and the trial Court has already suspended the sentence till 20.07.2018.

3 Heard the learned counsel for the petitioner and the learned Special Public Prosecutor.

4 In the light of the above facts, this Court is inclined to order the petition and the substantive sentence of imprisonment alone is suspended and the petitioner is directed to be enlarged on bail on condition that the petitioner 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 Judge for CBI Cases relating to Banks and Financial Institutions, Chennai 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. Time to surrender till 30.07.2018.

-sd/-
19/07/2018

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
JUDGE FOR CBI CASES RELATING TO BANKS AND
FINANCIAL INSTITUTIONS, CHENNAI.

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

3 THE STATE REP. BY
INSPECTOR OF POLICE,
SPE/CBI.EOW, CHENNAI.

+1 C.C. to M/S.S.NAGARAJAN Advocate on payment of necessary
charges-Sr.13405

Order

in
CRL MP.9529/2018

in
CRL A.414/2018

Date :19/07/2018

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
ths : 23.07.2018