

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Fourth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL MISCELLANEOUS PETITION No.9718 of 2018

IN CRL A.420/2018

K.V.NATARAJAN

[PETITIONER]

Vs

STATE REP BY
DEPUTY SUPERINTENDENT OF POLICE,
V AND AC,
DHARMAPURI.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Appeal No.420/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence till the disposal of appeal by enlarging the petitioner on bail connected in Spl.C.C.No.1 of 2011 on the file of the Honble Chief Judicial Magistrate and Special Judge, Krishnagiri. [CRL.MP.NO.9718/2018]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl. Appeal No.420/2018 on the file of the High Court and upon hearing the arguments of M/S.P.EZHILNILAVAN Advocate for the petitioner and of MR.K.PRABAKAR ADDITIONAL PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

The petitioner/appellant is arrayed as sole accused in Spl.C.C.No.1 of 2011 on the file of the learned Chief Judicial Magistrate and Special Judge, Krishnagiri. He has been convicted for the offence under Section 7 of Prevention of Corruption Act and sentenced to undergo six months Rigorous Imprisonment and to pay a fine of Rs.1,000/-, in default to undergo one month Simple Imprisonment; convicted under Section 13(1)(d) r/w 13(2) of Prevention of Corruption Act and sentenced to undergo one year Rigorous Imprisonment together with fine of Rs.1,000/-, in default to undergo another one month Simple Imprisonment vide impugned judgment dated 29.06.2018. 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 30.07.2018.

3 Heard the learned counsel for the petitioner and the learned Additional 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 Chief Judicial Magistrate and Special Judge, Krishnagiri 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/-

24/07/2018

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 CHIEF JUDICIAL MAGISTRATE
AND SPECIAL JUDGE, KRISHNAGIRI

2 THE PUBLIC PROSECUTOR[V & AC]
HIGH COURT, MADRAS.

3 THE DEPUTY SUPERINTENDENT OF POLICE,
V AND AC, DHARMAPURI.

+1 C.C. to M/S.P.EZHILNILAVAN Advocate on payment of necessary charges SR.NO. 13677

Order

in
CRL MP.9718/2018

in
CRL A.420/2018

Date :24/07/2018

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RD 25/07/2018