

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Nineteenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL MISCELLANEOUS PETITION No.17186 of 2018

IN CRL A.820/2018

POONGODAI

[PETITIONER]

Vs

STATE BY

[RESPONDENT]

INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
VELLORE, VELLORE DISTRICT.
CR.NO.19 OF 012.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL A.820/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed on the petitioner herein by the learned Special Judge for Vigilance and Anti Corruption cases-cum-Chief Judicial Magistrate, Vellore, Vellore District made in SC.No.3 of 2015 dt.6.12.2018 and enlarge her on bail pending disposal of the above Crl.A.No.820 of 2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL A.820/2018 on the file of the High Court and upon hearing the arguments of MR.K.S.RAJAGOPALAN, Advocate for the petitioner and of MR.R.RAVICHANDRAN, GOVERNMENT ADVOCATE [CRL.SIDE] on behalf of the Respondent the court made the following order:-

Appellant was convicted for the offence under Sections 120(B) IPC r/w 420 IPC, 465 IPC and 13(2) r/w 13(1)d of the Prevention of Corruption Act, 1988 and sentenced to undergo R.I. For 4 years and to pay a fine of Rs.1000/- in default to undergo S.I. for 2 months under Section 120(B) IPC r/w 420 IPC, sentenced to undergo R.I. for 2 years and to pay fine of Rs.500/- in default to undergo S.I. for 2 months under Section 465 IPC and also sentenced to undergo R.I. for four years with a fine of Rs.2,500/- in default to undergo Simple Imprisonment for two months by the learned Special Judge for Vigilance and Anti Corruption cases -cum- Chief Judicial Magistrate, Vellore by the Judgment dated 06.12.2018 in Special Case No. 3 of 2015. The fine amount imposed by the Trial Court has been paid by the appellant. Hence, the appellant seeks suspension of sentence.

2. Heard the learned counsel for the appellant as well as the learned Government Advocate (Crl. Side).

3. The learned counsel appearing for the appellant would submit that the appellant is a lady and she is suffering from health issues. He would further submit that there are lot of material contradictions in the evidence of the prosecution and the prosecution evidence is also highly unbelievable. He would further submit that the appellant is now confined in Special Prison for women, Vellore.

4. Having regard to the fact that there are arguable points involved in the appeal and further, the appeal is not likely to be taken up for final hearing in the near future and also considering the period of incarceration, I am of the considered opinion that the appellant is entitled for the relief of suspension of sentence.

5. Accordingly, the substantive sentence of imprisonment alone is suspended and the appellant is directed to be enlarged on bail, on condition that the appellant shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties each for a like sum to the satisfaction of the learned Special Judge for Vigilance and Anti Corruption Cases cum Chief Judicial Magistrate, Vellore and on further condition that the appellant shall appear before the said Court at 10.30 a.m. on the first working day of every English Calendar month, pending appeal.

-sd/-
19/12/2018

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 FOR
VIGILANCE AND ANTI CORRUPTION CASES CUM
CHIEF JUDICIAL MAGISTRATE, VELLORE.

2 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
VELLORE, VELLORE DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN,
VELLORE.

+1C.C. to M/S.K.S.RAJAGOPALAN Advocate on payment of necessary
charges in SR.NO. 24378

Order

in
CRL MP.17186/2018

in
CRL A.820/2018

Date :19/12/2018

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MLT-19/12/2018



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