



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Eighteenth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL MP (MD) No.2979 of 2018
IN
CRL A (MD) No.185 of 2018

JESURAJ JOHN BOSCO

... PETITIONER/APPELLANT/ACCUSED NO.1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION, SIVAGANGAI.

... RESPONDENT/RESPONDENT/COMPLAINANT

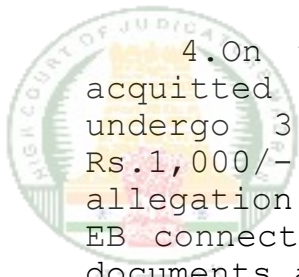
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence imposed on the petitioner/appellant/accused in Spl.C.C.No.41 of 2014 on the file of the Special Court for trial of case under Prevention of Corruption Act, Sivagangai and enlarge the Petitioner/appellant/accused on bail till the disposal of appeal and thus render justice.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.P.AJU TAGORE, Advocate for the petitioner and of MR.M.CHANDRASEKAR, Additional Public Prosecutor on behalf of the Respondent the court made the following order:-

Heard Mr.P.Aju Tagore, learned counsel appearing for the petitioner, Mr.M.Chandrasekar, learned Additional Public Prosecutor appearing for the respondent.

2.This petition has been filed to suspend the sentence imposed by the Special Court for trial of case under prevention of Corruption Act, Sivagangai in Spl. C.C.No.41 of 2014 dated 27.03.2018, till the disposal the criminal revision case.

3.On the side of the petitioner, it is stated that the petitioner is having valid ground for appeal. It is stated that the demand was made only by A2 and A2 was acquitted in the case. There was no recovery from the body of the petitioner. Recovery is only from the cupboard in the office. P.Ws.1 and 2 turned hostile. There are much more grounds for the petitioner to succeed in the appeal and he prayed for suspension of sentence till the disposal of the appeal.



4. On the side of the respondent, it is stated that A2 was acquitted of the charges and A1 was convicted and sentenced to undergo 3 years Rigorous Imprisonment and to pay a fine of Rs.1,000/- in default to undergo six months simple imprisonment. The allegation is that A1 demanded and accepted bribe of Rs.200/- for EB connection. The prosecution examined 15 witnesses and marked 35 documents and proved the case and the petition is to be dismissed.

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5. Records perused, whether the petitioner is having sufficient grounds for the appeal, is to be decided in the main appeal. There is no possibility for the petitioner to abscond. This Court is inclined to grant an interim suspension of sentence till 27.04.2018, on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the Special Court for trial of case under prevention of Corruption Act, Sivagangai and on further condition that:

(i) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Trial Judge may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity.

(ii) the petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the appeal and if he is not able to appear before the Trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C., and shall appear before the Trial Court on any other day in lieu of the date of his absence, as directed by the Trial Court.

6. Post the main criminal revision case for hearing on 27.04.2018.

sd/-
18/04/2018

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SPECIAL JUDGE FOR TRIAL OF CASE UNDER
PREVENTION OF CORRUPTION ACT, SIVAGANGAI.
- 2 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION, SIVAGANGAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.S.SABBANIKARBURA JOTHI Advocate SR.No.6454

ORDER IN
CRL MP(MD) No.2979 of 2018 IN
CRL A(MD) No.185 of 2018
Date :18/04/2018