



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

Thursday, the Seventeenth day of May Two Thousand Eighteen

PRESENT

**The Hon`ble Mr.Justice M.S.RAMESH**

**CRL MP(MD) No.3624 of 2018**

**IN**

**CRL A(MD) No.242 of 2018**

M.PALANIAMMAL

... APPELLANT/PETITIONER/ACCUSED No.2  
Vs

STATE REPRESENTED THROUGH  
THE INSPECTOR OF POLICE,  
PREVENTION OF CORRUPTION WING,  
MADURAI.

(CR.NO.3/2010)

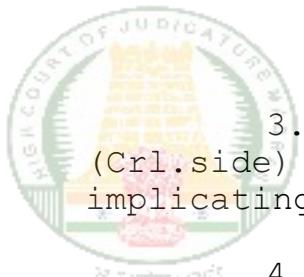
... RESPONDENT/RESPONDENT/COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence and conviction imposed by the learned Special Court for the prevention of Corruption Act Cases, Madurai in Special Case No.72 of 2011 dated 24.04.2018 and enlarge the petitioner on bail pending disposal of the above said Criminal Appeal.

**Order :** This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.R.KARUNANIDHI, Advocate for the petitioner and of The Public Prosecutor on behalf of the Respondent, while admitting the Crl.A., the court made the following order:-

The petitioner has been convicted by the learned Special Judge for the Prevention of Corruption Act Cases, Madurai in Special Case No.72 of 2011 and sentenced to undergo simple imprisonment for 2 years and to pay a fine of Rs.1,000/-, in default to undergo simple imprisonment for 3 months for an offence under Section 7 of the Prevention of Corruption Act and sentenced to undergo simple imprisonment for 2 years and to pay a fine of Rs.1,000/-, in default to undergo simple imprisonment for 3 months for an offence under Section 13(2) r/w. 13(1)(d) of the Prevention of Corruption Act. All the sentences were ordered to run concurrently. Against which, the petitioner has filed the criminal appeal and in order to suspend the sentence, the present Miscellaneous Petition is filed.

2. It is submitted by the learned counsel for the petitioner that there are several infirmities and inconsistencies in the prosecution case. It is contended that there are contradictions in material particulars.



3. It is submitted by the learned Government Advocate (Crl.side) that there are enough materials available on record for implicating the petitioner herein.

4. I have carefully considered the rival contentions put forward by either side and also perused the impugned judgment of conviction.

5. The learned counsel for the petitioner pointed out that certain infirmities and inconsistencies in the prosecution case and also certain contradictions in material particulars between the evidence of prosecution witnesses and there are arguable points involved in this appeal and further the appeal is not likely to be taken up for final hearing in the near future, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

6. Accordingly, the substantive sentence of imprisonment alone is suspended pending disposal of the appeal and the petitioner is directed to be enlarged on bail on condition that she executes 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 the Prevention of Corruption Act Cases, Madurai 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. pending disposal of the appeal.

sd/-  
17/05/2018

/ TRUE COPY /

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

TO

1 THE SPECIAL JUDGE FOR THE PREVENTION OF CORRUPTION ACT CASES,  
MADURAI

2 THE INSPECTOR OF POLICE,  
PREVENTION OF CORRUPTION WING, MADURAI.

3 THE ADDITIONAL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.R.KARUNANIDHI Advocate SR.No.8707

ORDER IN  
CRL MP(MD)No.3624 of 2018 IN  
CRL A(MD) No.242 of 2018  
Date :17/05/2018