



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

Friday, the Eighteenth day of May Two Thousand Eighteen

PRESENT

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

CRL MP(MD) No.3631 of 2018

IN

CRL A(MD) No.243 of 2018

R.LALITHA

... APPELLANT / ACCUSED NO.1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION,
SIVAGANGAI DISTRICT,
CRIME.NO.5/2005

... 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 convention imposed the judgement dated 27.04.2018 in Special C.C.No.24/2014 on the file of the Special Court for Trial of Cases under the Prevention of Corruption Act, Sivagangai in Crime No.5 of 2005 on the file of the respondent police.

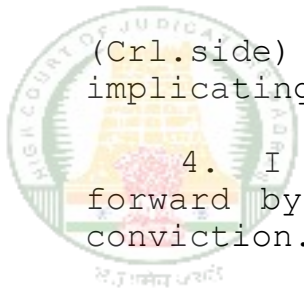
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.S.RAJA SEKAR Advocate for the petitioner, and of The Public Prosecutor for Vigilance and Anti Corruption on behalf of the Respondent, while admitting the Crl.A., the court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

The petitioner has been convicted by the learned Special Judge, Sivagangai in Spl.C.C.No.24 of 2014 and sentenced to undergo rigorous imprisonment for 3 years and to pay a fine of Rs.1000/-, in default to undergo six months of simple imprisonment for an offence under Section t of the Prevention of Corruption Act, 1988 and sentenced to undergo rigorous imprisonment for 3 years and to pay a fine of Rs.1000/-, in default to undergo six months simple imprisonment 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

<https://hcservicescourts.gov.in/hcservices/>

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, Virudhunagar at Srivilliputhur and on further condition that the petitioner shall appear before the said Court on the first working day of every English Calender month at 10.30 a.m. pending disposal of the appeal.

sd/-

18/05/2018

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

TO

- 1 THE SPECIAL COURT FOR TRIAL
OF CASES UNDER THE PREVENTION OF CORRUPTION ACT,
SIVAGANGAI DISTRICT.
 - 2 THE SPECIAL COURT FOR TRIAL
OF CASES UNDER THE PREVENTION OF CORRUPTION ACT,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
 - 3 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION,
SIVAGANGAI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. C.C. to M/S.T.LAJAPATHIROY Advocate SR.No.8989

ORDER IN
CRL MP(MD) No.3631 of 2018
IN
CRL A(MD) No.243 of 2018
Date :18/05/2018