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

Friday, the Twenty Sixth day of October Two Thousand Eighteen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL MP(MD) No.8643 of 2018
IN
CRL A(MD) No.486 of 2018

R.SEENIVASAN ... PETITIONER/ APPELLANT

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION WING,
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.
IN CRIME NO.04 OF 2009 ... RESPONDENT/ RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence imposed by the special court for Prevention of Corruption Cases and Chief Judicial Magistrate Court, Virudhunagar district at Srivilliputtur in Special C.C NO.04 of 2014 on 28.09.2018 pending disposal of the Criminal Appeal

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.M.JOTHI BASU, Advocate for the petitioner and of Mr.A.ROBINSON, Government Advocate(Crl.Side) on behalf of the Respondent, the court made the following order:-

Heard the learned counsel for the revision petitioner and the learned Government Advocate appearing for the respondent.

2. The revision petitioner is found guilty for offences under Section 7 and 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988 and he was sentenced to undergo three year Rigorous Imprisonment and ordered to pay a fine of Rs.10,000/- (Rupees Ten Thousand only) for each offence, in default to undergo six months Rigorous Imprisonment.

3. The case of the prosecution is that the petitioner / appellant while working as Wireman, at the office of the Junior Engineer (Rural/South), TNEB, Srivilliputhur demanded Rs.500/- to fix the meter box in the house of the de facto complainant. Hence, trap was laid and he was got red-handed on 03.06.2009, immediately after receiving the bribe money. The trial Court has convicted him

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to undergo three years Rigorous Imprisonment and fine of Rs.1,000/- for each offence. While convicting the accused, the trial Court has suspended the sentence till 28.10.2018.

4. In view of the arguable point raised in the Appeal, the sentence is suspended on the following conditions:-

(i) The petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of C.C.No.4 of 2014;

(ii) the petitioner shall be enlarged on bail, on his executing of a bond for Rs.10,000/-(Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of Special Court for Prevention of Corruption Cases and Chief Judicial Magistrate Court, Virudhunagar District, Srivilliputhur;

(iii) The petitioner shall report report before the trial Court on the 10th of every English Calendar month at 10:30 a.m. until further orders;

(iii) the petitioner shall attend the trial, without fail;

(iv) the petitioner shall not tamper with the evidence or witness and

(v) on breach of any of the aforesaid conditions, the learned trial Judge is entitled to take appropriate action, as if the conditions have been imposed and the appellant released on bail by the trial Judge himself as laid down by Hon'ble Supreme Court in P.K.Shaji vs State of Kerala in 2005 AIR SCW 5560.

sd/-
26/10/2018

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

TO

1. THE SPECIAL COURT FOR PREVENTION
OF CORRUPTION CASES AND
CHIEF JUDICIAL MAGISTRATE COURT,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

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

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

+1. C.C. to M/S.G.M.LAW OFFICE, Advocate SR.No.20423

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ORDER
IN
CRL MP(MD) No.8643 of 2018
IN
CRL A(MD) No.486 of 2018
Date :26/10/2018

MS/PN/SAR-3/26.10.2018/3P.5C

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