



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

Friday, the Second day of November Two Thousand Eighteen

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PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL MP(MD) No.9200 of 2018

IN

CRL A(MD) No.502 of 2018

TR.M.RAMIAH

... PETITIONER/APPELLANT/SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
MADURAI.
CRIME NO.3 OF 2005

... RESPONDENT/RESPONDENT/COMPLAINANT

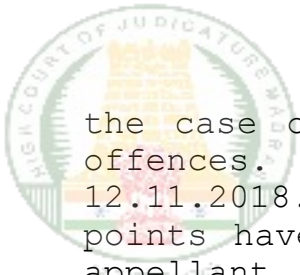
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence passed by the Special Judge for Trial of Prevention of Corruption Act Case, Madurai in Spl.Case No.54 of 2011 dated 15/10/2018 and enlarged the petitioner / appellant on bail, pending disposal of the above Appeal.

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

Heard the learned counsel for the petitioner/appellant and the learned Government Advocate (Criminal side), for the respondent police.

2. The petitioner herein is the former Village Administrative Officer, was found guilty on receiving Rs.2,000/- as illegal gratification for issuance of patta. After trial, the Trial Court has found him guilty for the offences under Sections 7 and 13 (1) (d) r/w 13 (2) of the Prevention of Corruption Act, convicted and sentenced him to under two years simple imprisonment for each offence and fine of Rs.1000/- each, in default, to undergo 3 months simple imprisonment each.

3. The learned counsel appearing for the petitioner/appellant would submit that the trial Court overlooking the fact that the defacto complainant has turned hostile, accepted



the case of the prosecution and convicted him for the above said offences. The Court below has suspended the sentence till the 12.11.2018. The fine amount has already been paid. Certain arguable points have been raised by the learned counsel for the petitioner/appellant.

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4. In the light of the above fact, this Court is inclined to suspend to suspend the substantive sentence of imprisonment pending disposal of the appeal. Accordingly, this petition is allowed and the substantive sentence of imprisonment imposed on the petitioner/appellant alone is suspended and the petitioner/appellant is directed to be enlarged on bail, on the following conditions:

"The petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with two sureties each for a like sum to the satisfaction of the learned Special Judge for trial or Prevention of Corruption Act Cases, Madurai and on further condition that the petitioner shall report before the concerned Court on the first working day of every English calendar month at 10.30 a.m., until further orders."

sd/-
02/11/2018

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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
PREVENTION OF CORRUPTION ACT CASE, MADURAI.

2 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION, MADURAI.

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

+1. C.C. to M/S.A.ARIVUCHANDRAN Advocate SR.No. 21149

ORDER
IN
CRL MP(MD) No.9200 of 2018
IN
CRL A(MD) No.502 of 2018
Date :02/11/2018