



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

Tuesday, the Eighteenth day of September Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL MP(MD) No.7395 of 2018

IN

CRL A(MD) No.433 of 2018

P. RAJESWARI

... PETITIONER/APPELLANT

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
VIRUDHUNAGAR.
(IN CRIME NO.1/2009)

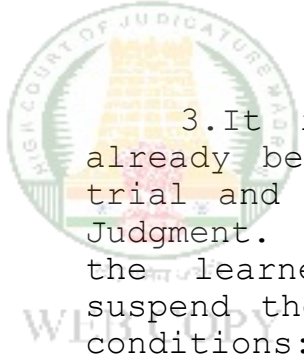
... RESPONDENT/RESPONDENT

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 by the Special Court for Prevention of Corruption cases and Chief Judicial Magistrate, Virudhunagar District at Srivilliputhur in Special in C.C.No.39/2014 on 21/08/2018 pending disposal of the above Crl.A

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.M.JOTHI BASU, 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:-

The petitioner is the sole accused in Special C.C.No.39 of 2014 on the file of the Special Court for Prevention of Corruption Cases and Chief Judicial Magistrate Court, Virudhunagar District at Srivilliputtur. By Judgment dated 21.08.2018, he has been found guilty and sentenced to undergo 3 years rigorous imprisonment for offence under Section 7 of the Prevention of Corruption Act and 3 years rigorous imprisonment for the offence under Section 13(1)(d) r/w.13(2) of the Prevention of Corruption Act and to pay a fine of Rs.10,000/- for each offence. Challenging the same, the petitioner is before this Court with Crl.A.(MD) No.433 of 2018. Pending disposal of the same, the petitioner has come forward with this petition seeking suspension of substantive sentence of imprisonment.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.



3.It is submitted that the fine amount of Rs.20,000/- has already been paid and the petitioner was in bail throughout the trial and also sentence has been suspended till 30 days from the Judgment. Since certain arguable points have been raised by the learned counsel for the petitioner, this Court is inclined to suspend the substantive sentence of imprisonment 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 Special Court for Prevention of Corruption Cases and Chief Judicial Magistrate Court, Virudhunagar District at Srivilliputtur and on further condition that the petitioner shall report before the Special Court for Prevention of Corruption Cases and Chief Judicial Magistrate Court, Virudhunagar District at Srivilliputtur on the first and third Monday of every English calender month at 10.30 a.m. until further orders."

sd/-
18/09/2018

/ TRUE COPY /

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, VIRUDHUNAGAR.
- 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.17751

ORDER
IN
CRL MP (MD) No.7395 of 2018
IN
CRL A (MD) No.433 of 2018
Date :18/09/2018