

Crl.M.P.No.6729 of 2019
in
Crl.A.No.287 of 2019

P.RAJAMANICKAM, J.

This appeal has been filed by the accused against the conviction and sentence awarded by the learned Special and Chief Judicial Magistrate, Special Court (Judicial Magistrate Court), Vellore, in Spl. Case No.2 of 2016 dated 14.05.2019, wherein, the appellant was convicted under Sections 13(2) r/w. 13(1)(d) of the Prevention of Corruption Act, 1988 and sentenced to undergo Simple Imprisonment for a period of three years and pay a fine of Rs.2,500/- in default to undergo Simple Imprisonment for a period of three months and also ordered the sentences to run concurrently.

2.The learned counsel for the appellant has submitted that the appellant has paid the fine amount on the same day and also filed an application to suspend the sentence and accordingly, the trial Court had suspended the sentence till 14.06.2019. He submitted that the appellant was on bail during the trial and she is a lady aged about 59 years. He further submitted that the appellant was working as a nurse and the respondent has filed a false case and the appellant is having arguable points in the above appeal and hence, he requests to admit the appeal, suspend the sentence and grant bail.

3.The learned Government Advocate appearing for the respondent has

submitted that the appellant, while serving as nurse, has demanded a sum of

Rs.2,000/- from one Muniappan and received the said amount and he further submitted that the prosecution has proved the case beyond reasonable doubts and accepting the prosecution case, the trial Court has rightly convicted the accused and hence, he opposed this petition.

4.Considering the fact that during trial, the appellant was on bail and also the fact that the trial Court also suspended the sentence and also the fact that already the appellant has paid the fine amount, this Court is inclined to admit the appeal and also suspend the sentence awarded by the trial Court and grant bail to the appellant.

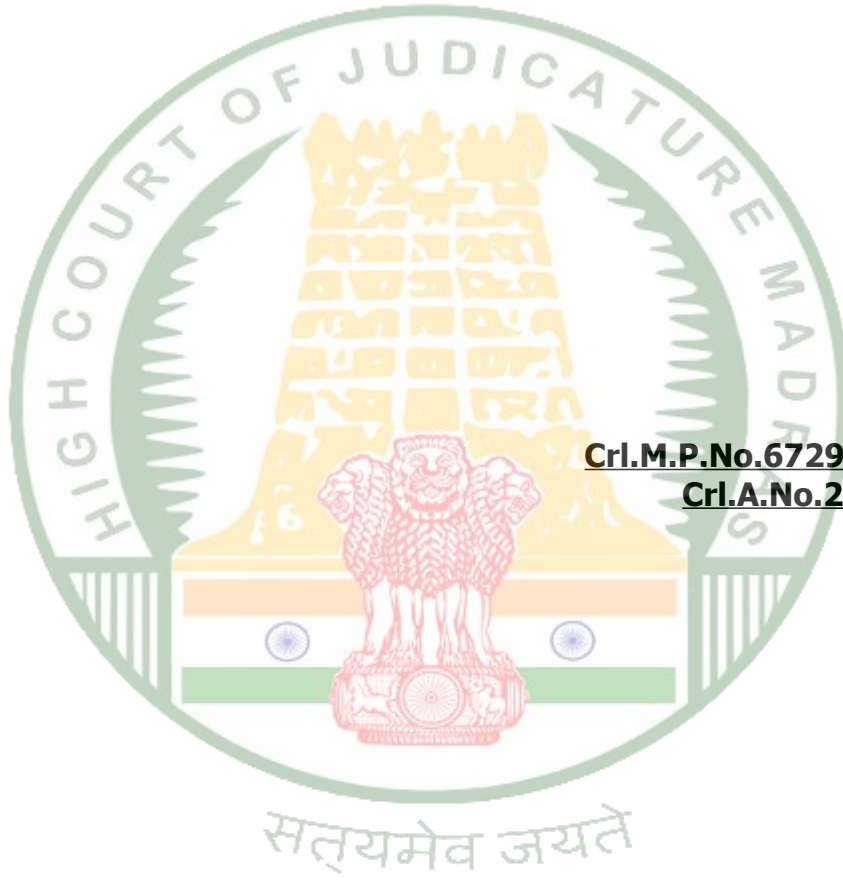
5.Accordingly, the sentence is suspended and the appellant is directed to surrender before the trial court within two weeks from the date of receipt of a copy of this order and on such **surrender** he shall be **released on** bail on her executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Special and Chief Judicial Magistrate, Special Court (Judicial Magistrate Court), Vellore and on further condition that he should appear before the said court on the first working day of every month until disposal of CrI.A.No.287 of 2019.

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