



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

Friday, the Fifteenth day of February Two Thousand Nineteen
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP (MD) No.1044 of 2019
IN
CRL A (MD) No.20 of 2019

N.SUBBULAKSHMI

... PETITIONER/APPELLANT

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION WING,
TRICHY DISTRICT.
CRIME NO.26/2009

... 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 execution of sentence imposed on the petitioner by the Learned Chief Judicial Magistrate cum Special Judge, Vigilance and Anticorruption, Karur vide Judgement in Special Case No.19/2014 dated 16/11/2018 till the 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 MR.T.SENTHILKUMAR, Advocate for MR.S.SARAVAGAN PRABHU, Advocate for the petitioner and of MR.K.SUYAMBULINGA BHARATHI, Government Advocate (Crl.Side) on behalf of the Respondent, While admitting the CRL.A., the court made the following order:-

The petitioner was convicted for the offence under Section 7 of the Prevention of Corruption Act, 1988 and sentenced to undergo six months rigorous imprisonment and imposed a fine of rs.500/- in default to undergo simple imprisonment for one month and also found guilty of the offence under Section 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988 and sentenced to undergo one year rigorous imprisonment and imposed a fine of Rs.500/- in default to undergo simple imprisonment for one month, by judgment dated 16.11.2018 in Special Case No.19 of 2014 by the Chief Judicial Magistrate Cum Special Judge, Vigilance and Anticorruption, Karur. The above sentences shall run concurrently. Hence, the petitioner seeks suspension of sentence.

2.The learned counsel appearing for the petitioner would submit that though suspension of sentence was granted by the trial Court, the petitioner has surrendered before the concerned Court and she is now confined at Special Prison for Women, Trichy for more than six days.



3. Heard the submissions of the learned Government Advocate (Criminal Side).

4. Having regard to the fact that there are arguable points involved in the appeal and further, the appeal is not likely to be taken up for final hearing in the near future and also considering the period of incarceration, I am of the considered opinion that the petitioner is entitled for the relief of suspension of sentence.

5. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner is directed to be enlarged on bail, on condition that the petitioner shall execute 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 Chief Judicial Magistrate Cum Special Judge, Vigilance and Anticorruption, Karur, and on further condition that the petitioner shall appear before the said Court at 10.30 a.m. on the first working day of every English Calendar month, pending disposal of the appeal.

sd/-
15/02/2019

/ TRUE COPY /

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

TO

1 THE CHIEF JUDICIAL MAGISTRATE
CUM SPECIAL JUDGE,
VIGILANCE AND ANTICORRUPTION, KARUR.

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

3 THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN, TRICHY.

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

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate SR-3209

ORDER
IN
CRL MP (MD) No.1044 of 2019
IN
CRL A (MD) No.20 of 2019
Date :15/02/2019