



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

Thursday, the Twenty First day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP (MD) No.1189 of 2019

IN

CRL A (MD) No.35 of 2019

S. BALADHANDAPANI

... PETITIONER/APPELLANT

Vs

THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION,
DINDIGUL.
CRIME NO.1 OF 2011

... 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 trial court on the Petitioner/Appellant/Accused in S.C.No.29 of 2014 on the file of the Learned Special Judge cum Chief Judicial Magistrate, Dindigul dated 22.01.2019 and enlarge him on bail.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.K.SAMIDURAI, Advocate for the petitioner and of MR.K.K.RAMAKRISHNAN, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

The petitioner was convicted for the offences under Sections 7 and 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988 and sentenced to undergo one year rigorous imprisonment and to pay a fine of Rs.5,00/- in default to undergo three months rigorous imprisonment for the offence under Section 7 of the Prevention of Corruption Act and to undergo one year rigorous imprisonment and to pay a fine of Rs.500/- in default to undergo three months rigorous imprisonment for the offence under Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988, by judgment dated 22.01.2019 in Special Case No.29 of 2014 by the learned Special Judge Cum Chief Judicial Magistrate, Dindigul. The trial Court also ordered to run the substantive sentences concurrently. Hence, the petitioner seeks suspension of sentence.

2. The learned counsel appearing for the petitioner would submit that though the trial Court granted suspension of sentence, the



petitioner has voluntarily surrendered before the trial Court and he is now confined at the Central Prison, Madurai.

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 Special Judge cum Chief Judicial Magistrate, Dindigul, 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/-
21/02/2019

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

TO

- 1 THE SPECIAL JUDGE CUM
CHIEF JUDICIAL MAGISTRATE, DINDIGUL
- 2 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION, DINDIGUL.
- 3 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. C.C. to Mr.K.SAMIDURAI Advocate SR.No.3542

ORDER
IN
CRL MP (MD) No.1189 of 2019
IN
CRL A (MD) No.35 of 2019
Date :21/02/2019