



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

Wednesday, the Sixth day of March Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP(MD) No.1264 of 2019

IN

CRL A(MD) No.45 of 2019

VETRIVEL

... PETITIONER/APPELLANT/ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
DINDIGUL DISTRICT.
CRIME NO.3/2008

... RESPONDENT/RESPONDENT/COMPLAINANT

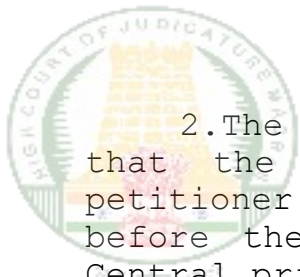
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to pass an order to suspend the execution of sentence imposed in Special C.C.No.13/2014 on the file of the Special Judge, of prevention of Corruption Act, Dindigul and granting bail 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 MR.S. ALAGARSAMY, Advocate for the petitioner and of MR.K.SUYAMBULINGA BHARATHI, Government Advocate (Crl.Side) on behalf of the Respondent, the court made the following order:-

The petitioner was convicted by the Judgment dated 28.01.2019 by the Special Judge for Trial cases under the Prevention of Corruption Act, Dindigul in Spl.C.C.No.13 of 2014 in the following manner.

i)found guilty for the offences under Section 7 of the Prevention of Corruption Act, 1988 and sentenced to undergo two Years Rigorous Imprisonment and imposed a fine of Rs.500/- in default to undergo Rigorous Imprisonment for Three months;

ii)found guilty for the offence under section 13(2) r/w 13 (1) (d) of the Prevention of Corruption Act. 1988 and sentenced to undergo Rigorous Imprisonment for a period of Two Years and also imposed a fine of Rs.500/- in default to undergo Rigorous Imprisonment for Three months; and the sentence of imprisonment imposed on him shall ordered to be run concurrently. Hence, the petitioner seeks



2.The learned counsel appearing for the petitioner would submit that the Trial Court granted suspension of sentence to the petitioner for a period of four weeks and the petitioner surrendered before the Trial Court on 26.02.2019 and he is now confined in Central prison, Madurai.

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3.Heard the submissions of the learned Government Advocate (Criminal Side) and he also admits that the petitioner is in Central prison, Madurai.

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 Anti Corruption, 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/-

06/03/2019

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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 ANTI CORRUPTION, DINDIGUL.

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

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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



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+1. C.C. to M/S. S. ALAGARSAMY Advocate SR.No. 4357

ORDER

IN

CRL MP (MD) No.1264 of 2019

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Date :06/03/2019

JM/JC/SAR 1/06.03.2019/3P/6C