



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

Monday, the Eighteenth day of February Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP(MD) No.1379 of 2019

IN

CRL A(MD) No.54 of 2019

MURALI

... APPELLANT/ACCUSED NO.2

Vs

THE ADDITIONAL SUPERINTENDENT OF POLICE,
CBI:ACB;CHENNAI, RC MA1 2013 A 0003.

... RESPONDENT/COMPLAINANT

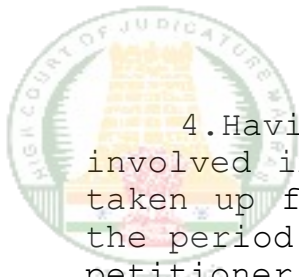
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence imposed against the petitioner in C.C.No.9/2014 dated 12/10/2018 on the file of the II Additional District Court for CBI Cases, Madurai and enlarge petitioner on 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.M.SUBASH BABU, Advocate for the petitioner and of MR.R.SUDEVKUMAR, Advocate 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 120-B r/w 420, 477-A IPC and Section 13(2) r/w 13(1)(c) and 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988 and sentenced to undergo Seven Years Rigorous Imprisonment and imposed a fine of Rs.1,00,000/- in default to undergo Simple Imprisonment for Three months and also found guilty under section 420 IPC and sentenced to undergo Rigorous Imprisonment for a period of Seven Years and also imposed a fine of Rs.1,00,000/- in default to undergo Simple Imprisonment for Three months by Judgment dated 12.10.2018 by the District Judge for CBI Cases, II Additional District Court, Madurai in C.C.No.9 of 2014. The above sentences shall run concurrently. Hence, the petitioner seeks suspension of sentence.

2.The learned counsel appearing for the petitioner would submit that the petitioner is now confined in Central Prison, Madurai.

3.Heard the submissions of the learned Government Advocate



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.

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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 District Judge for CBI Cases, II Additional District Court, Madurai, 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/-

18/02/2019

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

TO

1 THE DISTRICT JUDGE FOR CBI CASES,
II ADDITIONAL DISTRICT COURT, MADURAI.

2 THE ADDITIONAL SUPERINTENDENT OF POLICE,
CBI:ACB;CHENNAI, RC MA1 2013 A 0003.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

+1 CC to M/s.M.SUBASH BABU, Advocate (SR-3252[I] dated 18/02/2019)

ORDER

IN

CRL MP (MD) No.1379 of 2019

IN

CRL A (MD) No.54 of 2019

Date :18/02/2019

JM/PN/SAR 1/19.02.2019/2P/6C