



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

Wednesday, the Thirteenth day of March Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP(MD) No.1615 of 2019

IN

CRL A(MD) No.70 of 2019

S.ARULANANTHU

... PETITIONER / APPELLANT

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
SIVAGANGAI DISTRICT.

... 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 against the petitioner by the Learned Special Court for Trial of cases under prevention of Corruption Act, Sivagangai in Spl.C.C.No.77/2014 dated 29/01/2019 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.D.SELVANAYAGAM, 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 three years rigorous imprisonment and imposed to pay a fine of Rs.1,000/- in default to undergo six months simple imprisonment each for the aforesaid offences, by judgment dated 29.01.2019 made in Special C.C.No.77 of 2014, by the Special Judge for trial of Cases under Prevention of Corruption Act, Sivagangai. The above sentences shall run concurrently. The total fine amount of Rs.2,000/- was paid by the petitioner before the trial Court on the date of judgment. Now, he approached this Court, seeking suspension of sentence.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor for the respondent police.

3.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.

4. 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 Special Judge for trial of Cases under Prevention of Corruption Act, Sivagangai 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/-
13/03/2019

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

TO

- 1 THE JUDGE,
SPECIAL COURT FOR TRIAL OF CASES UNDER
PREVENTION OF CORRUPTION ACT, SIVAGANGAI.
 - 2 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
SIVAGANGAI.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.D.SELVANAYAGAM, Advocate SR-4769

ORDER
IN
CRL MP (MD) No.1615 of 2019
IN
CRL A (MD) No.70 of 2019
Date :13/03/2019

JM/VR/SAR 4/13.03.2019/2P/5C