



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

Tuesday, the Twenty Sixth day of February Two Thousand Nineteen

PRESENT

**The Hon`ble Mr.Justice M.DHANDAPANI**

CRL MP(MD) No.1659 of 2019  
IN  
CRL A(MD) No.71 of 2019

A.PERIYANAYAGASAMY

... PETITIONER/APPELLANT

Vs

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

... 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 and conviction imposed by the Learned II Additional District Court for CBI Cases, Madurai dated 12/10/2018 made in C.C.No.09/2014 pending disposal of the Criminal Appeal.

**Order :** This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.VEERA KATHIRAVAN, Senior Counsel for M/S.VEERA ASSOCIATES, Advocate for the petitioner and of Mr.R.SUDEVKUMAR, Special Public Prosecutor for CBI Cases on behalf of the Respondent, while admitting the CRL A, the court made the following order:-

The petitioner was convicted for the offences under Sections 120-B r/w 420, 477-A IPC and Sections 13(2) r/w 13(1)(c) and 13(2) r/w 13(1)(d) of the 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 three months simple imprisonment and also found guilty under Section 420 IPC and sentenced to undergo rigorous imprisonment for a period of seven years and also imposed a find of Rs.1,00,000/- in default to undergo simple imprisonment for three months, by judgment dated 12.10.2018 by the learned District Judge for CBI Cases, II Additional District Court, Maduari, 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, Maduari.



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 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/-  
26/02/2019

/ TRUE COPY /

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

TO

1. THE II ADDITIONAL DISTRICT JUDGE FOR CBI CASES, MADURAI.
2. THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
3. THE ADDITIONAL SUPERINTENDENT OF POLICE, CBI:ACB:CHENNAI.
4. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
5. THE SPECIAL PUBLIC PROSECUTOR FOR CBI CASES, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.VEERA ASSOCIATES Advocate SR.No.3784

ORDER  
IN  
CRL MP (MD) No.1659 of 2019  
IN  
CRL A (MD) No.71 of 2019  
Date : 26/02/2019

TK/PN/SAR-1/26.02.2019/2P/7C