



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

Thursday, the Fourth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP(MD) No.2473 of 2019

IN

CRL A(MD) No.107 of 2019

VENGATACHALAM

... PETITIONER/APPELLANT

Vs

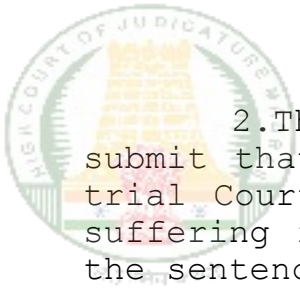
THE STATE REP.BY
THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTICORRUPTION WING,
PUDUKKOTTAI.
Crime No.5 of 2015

... 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 of imprisonment imposed by the Chief Judicial Magistrate, Special Judge, Pudukkottai in Spl.C.C.No.4 of 2016 by the judgment dated 27.02.2019 and enlarge the petitioner/accused on bail, pending disposal of the above said criminal appeal.

Order :This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr. D. RAMESHKUMAR, Advocate for the petitioner and of Mr.K.K.RAMAKRISHNAN, Additional Public Prosecutor for Vigilance and Anti Corruption 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 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.2,000/- in default to undergo three months simple imprisonment for the offence under Section 7 of the Prevention of Corruption Act, 1988 and to undergo two years rigorous imprisonment and to pay a fine of Rs.3,000/- in default to undergo six months rigorous imprisonment for the offence under Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988, by judgment dated 27.02.2019 in Special C.C.No.4 of 2016 by the learned Chief Judicial Magistrate, Special Judge, Pudukkottai. 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 the petitioner has voluntarily surrendered before the trial Court on 20.03.2019 and he is presently in prison and he is suffering from old age ailment. Accordingly, he prayed to suspend the sentence.

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3.Heard the submissions of the learned Additional Public Prosecutor.

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, Special Court, Pudukkottai 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/-

04/04/2019

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

TO

1.THE CHIEF JUDICIAL MAGISTRATE,
SPECIAL COURT, PUDUKKOTTAI.

2.THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTICORRUPTION WING, PUDUKKOTTAI.

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

+1. C.C. to Mr.D. RAMESHKUMAR Advocate SR.No.6171

ORDER

IN

CRL MP (MD) No.2473 of 2019

IN

CRL A (MD) No.107 of 2019

Date :04/04/2019