



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

Wednesday, the Twentieth day of March Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP (MD) No.2560 of 2019

IN

CRL A (MD) No.111 of 2019

S.KARTHIKA

... PETITIONER/ APPELLANT

Vs

STATE REP.BY

THE DEPUTY SUPERINTENDENT OF POLICE,

CBI: SPE: ACB., CHENNAI.

RC MA1 2009 A 0008.

... 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 passed by the II Additional District Court for CBI Cases, Madurai in C.C.No.6 of 2010 dated 15.03.2019 and enlarge the petitioner on bail pending disposal of this Criminal Appeal.

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 Mr.N.TAMILMANI, Advocate for the petitioner and of Mr.N.NAGENDRAN, Special Public Prosecutor for CBI Cases on behalf of the Respondent, While admitting the CRL.A., the court made the following order:-

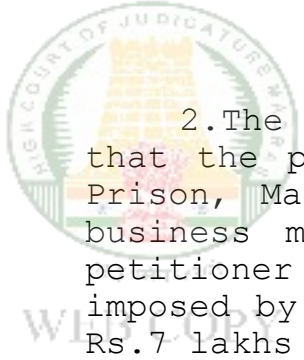
The petitioner was convicted by the Judgment dated 15.03.2019 by the District Judge for CBI Cases, II Additional District Court, Madurai in C.C.No.6 of 2010 in the following manner.

Charges Proved under Sections	Punishment (Imprisonment and Fine)
u/s 120-B r/w 420 IPC	Rigorous Imprisonment for 7 years and to pay a fine of Rs.10,000/- in default to undergo Simple Imprisonment for one year;
u/s 120-B r/w 467 IPC	Rigorous Imprisonment for 10 years and to pay a fine of Rs.10,000/- in default to undergo Simple Imprisonment for one year;



u/s 120-B r/w 468 IPC	Rigorous Imprisonment for 7 years and to pay a fine of Rs.10,000/- in default to undergo Simple Imprisonment for one year;
u/s 120-B r/w 471 IPC	Rigorous Imprisonment for 7 years and to pay a fine of Rs.25,000/- in default to undergo Simple Imprisonment for one year;
u/s 120-B r/w 477-A IPC	Rigorous Imprisonment for 7 years and to pay a fine of Rs.10,000/- in default to undergo Simple Imprisonment for one year;
u/s 120-B r/w 13(2) r/w 13(1) (d) of Prevention of Corruption Act, 1988.	Rigorous Imprisonment for 7 years and to pay a fine of Rs.10,000/- in default to undergo Simple Imprisonment for one year;
u/s 120-B r/w Section 99 of Information Technology Act, 2000.	Rigorous Imprisonment for 2 years and to pay a fine of Rs.1,00,000/- in default to undergo Simple Imprisonment for six months;
u/s 420 IPC	Rigorous Imprisonment for 7 years and to pay a fine of Rs.10,000/- in default to undergo Simple Imprisonment for one year;
u/s 467 IPC	Rigorous Imprisonment for 10 years and to pay a fine of Rs.10,000/- in default to undergo Simple Imprisonment for one year;
u/s 468 IPC	Rigorous Imprisonment for 7 years and to pay a fine of Rs.10,000/- in default to undergo Simple Imprisonment for one year;
u/s 471 IPC	Rigorous Imprisonment for 7 years and to pay a fine of Rs.25,000/- in default to undergo Simple Imprisonment for one year;
u/s 477 -A IPC	Rigorous Imprisonment for 7 years and to pay a fine of Rs.10,000/- in default to undergo Simple Imprisonment for one year;
u/s 66 of Information Technology Act, 2000.	Rigorous Imprisonment for 2 years and to pay a fine of Rs.1,00,000/- in default to undergo Simple Imprisonment for six months;
Total Fine	Rs.3,40,000/-

<https://hcservices.scmts.gov.in/hcservices/> imprisonment should run concurrently awarded to the appellant/A4.



2.The learned counsel appearing for the petitioner would submit that the petitioner is a lady and she is now confined in Central Prison, Madurai and she is only an abettor and her husband is a business man. However, in order to show her bonafideness, the petitioner has already deposited the fine amount of Rs.3,40,000/- as imposed by the trial court. Further, she is also ready to deposit Rs.7 lakhs without prejudice to her rights in the appeal.

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 District Judge for CBI Cases, II Additional District Court, Madurai, and on further conditions

(i) 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.

(ii) that the petitioner shall deposit a sum of Rs.7,00,000/- to the credit of crime number before the concerned Court, thereafter the concerned trial Judge, shall transfer and deposit the said amount in favour of the Post Master, Vendasandur Post Office, Dindigul District.

sd/-

20/03/2019

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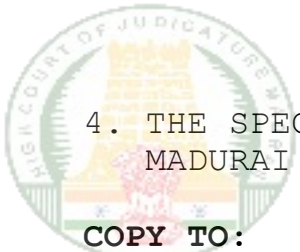
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

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

2 THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI.

<https://hcservices.courts.gov.in/hcservices/>
3 THE DEPUTY SUPERINTENDENT OF POLICE,
CBI: SPE: ACB., CHENNAI.



4. THE SPECIAL PUBLIC PROSECUTOR FOR CBI CASES,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE POST MASTER,
VEDASANDUR POST OFFICE,
DINDIGUL DISTRICT.

+1. C.C. to Mr.N.TAMILMANI Advocate SR.No.5225

ORDER

IN

CRL MP (MD) No.2560 of 2019

IN

CRL A (MD) No.111 of 2019

Date :20/03/2019

MS/PN/SAR-3/20.03.2019/4P.7C