



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

Wednesday, the Twenty Seventh day of March Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP (MD) No.2831 of 2019

IN

CRL A (MD) No.125 of 2019

S.SHANMUGANATHAN

... APPELLANT/ ACCUSED NO.4

Vs

STATE REP.BY

THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
RAMANATHAPURAM DISTRICT.

CRIME NO.4/2006

... 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 and grant bail to the Appellant/Accused No.4 against the Judgement dated 28/02/2019 in Special C.C.No.4/2008 on the file of the Special Court/Chief Judicial Magistrate Court, Ramanathapuram in Crime No.4/2006 on the file of the respondent and set-aside the same and acquit the Appellant/Accused No.4 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.I.PINAYGASH, 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 Section 9 of the Prevention of Corruption Act, 1988 by judgment dated 28.02.2019 by the learned Special Court/Chief Judicial Magistrate Court Ramanathapuram in C.C.No.4 of 2008.

2. The petitioner is sentenced to undergo six months rigorous imprisonment and pay a fine of Rs.3,000/- in default to undergo one month simple imprisonment for the offence under Section 9 of the Prevention of Corruption Act, 1988.

3. The learned counsel appearing for the petitioner would submit that the Court below already granted interim suspension of sentence to the petitioner from 28.02.2019 to 27.03.2019 is ended today. Hence, the petitioner seeks suspension of sentence.



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

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 Special Court/Chief Judicial Magistrate Court, Ramanathapuram, 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/-

27/03/2019

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

TO

1. THE JUDGE,
SPECIAL COURT/CHIEF JUDICIAL MAGISTRATE COURT,
RAMANATHAPURAM.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
RAMANATHAPURAM DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to Mr.I.PINAYGASH Advocate SR.No.5746

ORDER

IN

CRL MP(MD) No.2831 of 2019

IN

CRL A(MD) No.125 of 2019

Date :27/03/2019

MS/VR/SAR-4/28.03.2019/2P.5C