



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

Monday, the Twenty Second day of April Two Thousand Nineteen

WEB COPY

PRESENT

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

CRL MP (MD) No.3426 of 2019

IN

CRL A (MD) No.148 of 2019

GUNAM

... APPELLANT/ APPELLANT

Vs

STATE REP.BY

THE DEPUTY SUPERINTENDENT OF POLICE,  
VIGILANCE AND ANTI CORRUPTION WING,  
PUDUKKOTTAI.

(CRIME NO.3/2013)

... 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 learned Chief Judicial Magistrate Court, Pudukkottai in Special C.C.No.6 of 2014 dated 20.03.2019, pending disposal of the main Crl.A.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.K.SIVABALAN, Advocate for the petitioner and of Mr.K.K.RAMAKRISHNAN, Additional Public Prosecutor 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 and Corruption Act, by judgment dated 20.03.2019 in Special C.C.No.6 of 2014 on the file of the learned Chief Judicial Magistrate, Pudukkottai. He is sentenced to undergo one year rigorous imprisonment and pay a fine of Rs.2,000/- in default to undergo three months simple imprisonment for the offence under Section 7 of Prevention and Corruption Act. The petitioner is sentenced to undergo two years rigorous imprisonment and pay a fine of Rs.3,000/- in default to undergo six months simple imprisonment for the offence under Section 13(2) r/w. 13(1)(d) of Prevention and Corruption Act. The Trial Court ordered to run the sentence of imprisonment concurrently. Hence, the petitioner seeks suspension of sentence.



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

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, 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/-

22/04/2019

/ TRUE COPY /

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

TO

1. THE CHIEF JUDICIAL MAGISTRATE,  
PUDUKKOTTAI.
2. THE SUPERINTENDENT, CENTRAL PRISON,  
TRICHY.
3. THE DEPUTY SUPERINTENDENT OF POLICE,  
VIGILANCE AND ANTI CORRUPTION WING,  
PUDUKKOTTAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. C.C. to Mr.K.SIVABALAN Advocate SR.No.6979

ORDER

IN

CRL MP (MD) No.3426 of 2019

IN

CRL A (MD) No.148 of 2019

Date : 22/04/2019

**MS/PN/SAR-3/22.04.2019/2P.6C**

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