



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

Monday, the Fifteenth day of April Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP (MD) No.3550 of 2019

IN

CRL A (MD) No.164 of 2019

S.MURUGESAN

... PETITIONER/ APPELLANT/
ACCUSED-3

Vs

STATE REP.BY

THE DEPUTY SUPERINTENDENT OF POLICE,

CBI : SPA : ACB, CHENNAI.

RC MA1 2009 A 0008

... RESPONDENT/ 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 imposed in C.C.No.6 of 2010 by the learned II Additional District Court for CBI Cases, Madurai dated 15.03.2019 and enlarge the petitioner on bail 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.S.RAVI, Advocate for the petitioner and of Mr.N.NAGENDRAN, Special Government Pleader for CBI cases on behalf of the Respondent, the court made the following order:-

The petitioner was convicted and sentenced for the following offences:-

Charges proved under Sections	Punishment (Imprisonment and fine
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;
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;



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;
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;
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;
120-B r/w 13(2) r/w 13(1) (d) 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;
120-B r/w Section 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;
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;
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;
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;
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;
477-A	Rigorous Imprisonment for 7 years and to pay a fine of Rs.10,000/- in default to undergo simple imprisonment for one year;
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;
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.3,50,000/-

2.The learned counsel appearing for the petitioner would submit that the petitioner herein has deposited the entire fine amount and the petitioner is now confined in Central Prison, Madurai.

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 the following conditions:-

(i) 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 II Additional District Court for CBI Cases, Madurai;

(ii) the petitioner shall pay a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of C.C.No.6 of 2010 on the file of the II Additional District Court for CBI Cases, Madurai; and

(iii) 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/-

15/04/2019

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

TO

1. THE JUDGE,
II ADDITIONAL DISTRICT COURT FOR CBI CASES, MADURAI.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
CBI : SPA : ACB, CHENNAI.
3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
4. THE SPECIAL PUBLIC PROSECUTOR FOR CBI CASES,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. C.C. to Mr.S.RAVI Advocate SR.No.6778

ORDER IN

CRL MP(MD) No.3550 of 2019

IN CRL A(MD) No.164 of 2019

Date :15/04/2019