



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

Tuesday, the Twentieth day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL MP(MD) No.7262 of 2019

IN

CRL A(MD) No.363 of 2019

K.SENTHILVEL MURUGAN

... APPELLANT/ ACCUSED

Vs

STATE REP.BY
THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
CHENNAI CITY - IV DETACHMENT,
CHENNAI 35.
CRIME NO.24/AC/2009.

... 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 against the Judgment dated 03.08.2019 in Special Case No.3 of 2012 on the file the Special Judge cum Chief Judicial magistrate court, Nagercoil pending disposal of the instant CRL.A

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.T.LAJAPATHI ROY, Advocate for the petitioner and of Mr.M.CHANDRASEKARN, Additional Public Prosecutor on behalf of the Respondent, While admitting the CRL.A., the court made the following order:-

The petitioner has been convicted by the learned trial Judge for the offence under Sections 7, 13(ii) r/w 13(i)(e) of Prevention of Corruption Act, 1988, to undergo four years rigorous imprisonment and to pay a fine of Rs.2,00,000/-, in default of payment of fine to undergo simple imprisonment for a further period of one year under Section 7 of the Prevention of Corruption Act, 1988, he was sentenced to undergo four years rigorous imprisonment and to pay a fine of Rs.2,00,000/-, in default of payment of fine to undergo further period of one year simple imprisonment under Section 13(2) r/w. 13(1) (e) of the Prevention of Corruption Act, 1988, in Spl.Case No.3 of 2012 on the file of the learned Special Judge Cum Chief Judicial Magistrate, Nagercoil.



2.The learned counsel for the petitioner has raised substantial points in the memorandum of appeal, which require a detailed consideration by this Court.

3.Considering the facts and circumstances of the case and also considering the submissions of the learned counsel for the petitioner that there are several infirmities in the prosecution case in respect of the petitioner and that there are arguable points involved in the appeal and further that the appeal is not likely to be taken up for final hearing in the near future, this Court is of the view that the petitioner herein is entitled to the relief of suspension of sentence.

4.Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal and the petitioner is ordered to be released on bail on him executing 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 Judge Cum Chief Judicial Magistrate, Nagercoil and on further condition that the petitioner shall appear before the said court on the first working day of every month at 10.30 am, pending appeal.

sd/-

20/08/2019

/ TRUE COPY /

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

TO

1. THE SPECIAL JUDGE CUM CHIEF JUDICIAL MAGISTRATE,
NAGERCOIL.
2. THE SUPERINTENDENT,CENTRAL JAIL,
PALLAYMKOTTAI, TIRUNELVELI DISTRICT.
3. THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
CHENNAI CITY - IV DETACHMENT, CHENNAI 35.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. C.C. to M/S. T. LAJAPATHI ROY Advocate SR.No.13737

ORDER IN

CRL MP(MD) No.7262 of 2019
IN CRL A(MD) No.363 of 2019
Date :20/08/2019

MS/VR/SAR-1/20.08.2019/2P.6C

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