

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

Friday, the Thirtieth day of August Two Thousand Nineteen

PRESENT

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

CRL MP(MD) No.7679 of 2019

IN

CRL A(MD) No.396 of 2019

P.RAMACHANDRAN

.... PETITIONER/ APPELLANT

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

VIGILANCE AND ANTI CORRUPTION,

MADURAI DETACHMENT.

CRIME NO.10 OF 2004

.... 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 of imprisonment imposed in Special Case No.42 of 2011 on the file of the Special Court for Trial of Prevention of Corruption Act Cases, Madurai and enlarge the petitioner/ appellant on bail.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.K.P.KRISHNA DOSS, Advocate for the petitioner and of Mr.A.ROBINSON, Government Advocate(Crl.Side) on behalf of the Respondent, While admitting the WP., the court made the following order:-

The petitioner who has been convicted by the learned trial Judge for the offences under Sections 120B, 467, 467 r/w 109, 167 and 468 of IPC and sentenced to undergo two years rigorous imprisonment for each Section and to pay a fine of Rs.1,000/-, for each Section (5X1000= Rs.5,000/-) in default of payment of fine to undergo simple imprisonment for a further period of two months for each Section (sentences ordered to run concurrently) in Spl.C.C.No.42 of 2011 on the file of the Special Court, Prevention of Corruption Act Cases Madurai.

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

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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 his 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 Special Court, Prevention of Corruption Act Cases Madurai 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/-
30/08/2019

/ TRUE COPY /

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

TO

1. THE SPECIAL DISTRICT JUDGE FOR
TRIAL OF PREVENTION OF CORRUPTION ACT CASES,
MADURAI.
2. THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION,
MADURAI DETACHMENT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to M/S.K.P.KRISHNA DOSS Advocate SR.No.14526

ORDER
IN
CRL MP(MD) No.7679 of 2019
IN
CRL A(MD) No.396 of 2019
Date :30/08/2019

MS/VR/SAR-3/30.08.2019/2P.5C