



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

Wednesday, the Twenty Third day of December Two Thousand and Twenty

PRESENT

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

CRL MP(MD) No.7756 of 2020

IN

CRL A(MD) No.385 of 2020

RAJAMANI

... APPELLANT/A1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION,
TIRUCHIRAPPALLI.
(CRIME NO.14/2006)

... RESPONDENT/COMPLAINANT

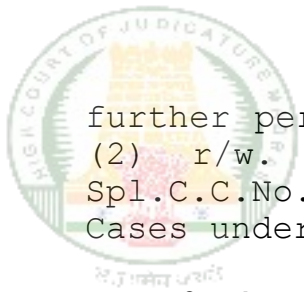
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence imposed by the Learned Special Judge for trial of cases under Prevention of Corruption Act, Tiruchirappalli dated 18.12.2020 made in Special Case No.66/2011 pending disposal of the Criminal Appeal.

Prayer in CRL A(MD) No.385 of 2020:

To set aside the judgment dated 18.12.2020 made in Special Case No.66/2011 on the file of the Learned Special Judge for trial of cases under Prevention of Corruption Act, Tiruchirappalli and allow the above Criminal Appeal.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.VEERA KATHIRAVAN, Senior Counsel for M/S.VEERA ASSOCIATES for the petitioner and of MR.A.ROBINSON, Government Advocate (Crl. Side) 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 and 13(2) r/w. 13(1)(d)(i) of the Prevention of Corruption Act, 1988, to undergo one year rigorous imprisonment and to pay a fine of Rs.5,000/-, in default of payment of fine to undergo simple imprisonment for a further period of three months under Section 7 of the Prevention of Corruption Act, 1988, he was sentenced to undergo two years rigorous imprisonment and to pay



further period of three months simple imprisonment under Section 13 (2) r/w. 13(1) (d) of the Prevention of Corruption Act in Spl.C.C.No.66 of 2011 on the file of the Special Court for Trial of Cases under Prevention of Corruption Act, Trichirappalli.

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 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 Judge for Trial of Cases under Prevention of Corruption Act, Trichirappalli 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/-

23/12/2020

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/ /2020

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

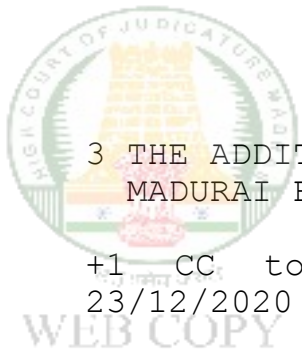
Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE SPECIAL JUDGE
FOR TRIAL OF CASES UNDER PREVENTION OF CORRUPTION ACT,
TIRUCHIRAPPALLI.

2 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,

<https://hcservices.mca.gov.in/hcservices/>
TIRUCHIRAPPALLI.



3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-8524[I] dated
23/12/2020)

ORDER
IN
CRL MP (MD) No.7756 of 2020
IN
CRL A (MD) No.385 of 2020
Date :23/12/2020

ias
JM/PN/SAR III/23.12.2020/3P/5C