IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.05.2021

CORAM :

THE HONOURABLE MRS. JUSTICE R. HEMALATHA

Crl.M.P.No.5486 of 2021
in
Crl.A.No.212 of 2021

K.Ramamoorthy ... Petitioner

Vs.

State represented by
Inspector of Police,
Vigilance and Anti-Corruption, SIC
Chennai. ... Respondent

Criminal Miscellaneous Petition filed under Section 389(1) Cr.P.C. to supend the sentence by enlarging the petitioner on bail in respect of CC.No.148/2011 (on the file of the Honble Special court for the cases under Prevention of Corruption Act at Chennai) pending disposal of the appeal.

For Petitioner : Mr.D.Rajagopal

For Respondent : Mr.L.Baskaran
Counsel for Government of Tamil Nadu
(Crl. Side)

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O R D E R

The petitioner/appellant has been convicted and sentenced by the Special Judge, Special Court for the cases under Prevention of Corruption Act at Chennai, in C.C.No.148 of 2011 as follows :

Provision under which convicted	***Sentence***
Section 7 of Prevention of Corruption Act, 1988	Rigorous Imprisonment for one year and a fine of Rs.1,000/- in default to undergo simple imprisonment for three months.
Section 13(2) r/w. 13(1)(d) of Prevention of Corruption Act	Rigorous Imprisonment for two years and a fine of Rs.1,000/- in default to undergo simple imprisonment for three months.

2.The learned counsel appearing for the petitioner contended that he has got good chance of success in the present appeal filed before this Court. Therefore, he prayed for suspension of sentence and grant of bail.

3.Considering the facts and circumstances, the substantive sentence of imprisonment alone is suspended and the petitioner/appellant is directed to surrender before the trial Court and on such surrender, he shall be released on bail on him executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only), with two sureties, of whom, one should be a

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blood relative, each for a like sum to the satisfaction of the Special Judge, Special Court for the cases under Prevention of Corruption Act at Chennai, and on further conditions that:

(i) the petitioner/appellant and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Special Judge, Special Court for the cases under Prevention of Corruption Act at Chennai, may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(ii) on release, the petitioner/appellant shall appear before the trial Court on the first working day of every month, until the disposal of the appeal and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

4.This petition is ordered accordingly.

19.05.2021
(2/2)

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R. HEMALATHA, J.

mkn/ssr

Copy to :

1.The Special Judge,
Special Court for the cases under Prevention of Corruption Act
at Chennai.

2.The Inspector of Police,
Vigilance and Anti-Corruption, SIC
Chennai.

3.The Public Prosecutor,
High Court, Madras.

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