

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.05.2021

Coram

The Honourable Mr.Justice G.R.Swaminathan

Crl.M.P.No.5487 of 2021

in Crl.A.No.213 of 2021

1.C.Raghu
2.K.Tamilselvan

...Petitioners

Versus

State by
The Deputy Superintendent of Police,
Vigilance & Anti Corruption,
Dharmapuri.

...Respondent

This Criminal Miscellaneous Petition is filed under Section 389 (2) & 439 of Crl.P.C praying for enlarging the petitioners/appellants/accused - 1 & 2 on bail by suspending the sentence imposed upon the petitioners/appellants/accused - 1 & 2 by the Special Judge/Chief Judicial Magistrate, Dharmapuri in Special Calendar Case No.04 of 2010 dated 31.03.2021 pending disposal of the above appeal.

For Petitioners : Mr.S.Anbalagan

For Respondent : Ms.V.Sharadha Devi,
Government Advocate

ORDER

The above Criminal Appeal has been filed by the petitioners herein as against the judgment and sentence passed by the learned Special Judge/Chief Judicial Magistrate, Dharmapuri in Spl.C.C.No.4 of 2010. By judgment dated 31.03.2021, the petitioners were convicted for offence under Section 235(2) Cr.P.C and sentenced to undergo simple imprisonment for one year and to pay a fine of Rs.2,000/- each and in default to undergo simple imprisonment for 3 months for offence under Section 7 of Prevention of Corruption Act, 1988. Further, they were convicted for offence under Section 235(2) Cr.P.C and sentenced to undergo simple imprisonment for two years and to pay a fine of Rs.5,000/- each and in default to undergo simple imprisonment for six months for offence under Section 13(2) r/w. 13(1)(d) of the Prevention of Corruption Act, 1988. All the above sentences were ordered to run concurrently. Seeking for

suspension of sentence of imprisonment, this Criminal Miscellaneous Petition has been filed.

2. The learned counsel for the petitioners submitted that the petitioners have already deposited the entire fine amount of Rs.14,000/- before the Court below.

3. Heard the learned counsel on both sides.

4. Considering the facts and circumstances of the case coupled with the fact that there are arguable points which require a consideration in the appeal and the appeal cannot be taken up for hearing in the near future, this Court is inclined to suspend the sentence imposed by the Court below.

5. Accordingly, the sentence imposed by the Court below vide judgment made in Spl.C.C.No.4 of 2010 dated 31.03.2021 on the file of Special Court/Chief Judicial Magistrate Court, Dharmapuri is hereby suspended and the petitioners are directed to be enlarged on bail, on condition that the petitioners shall execute a separate 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/Chief Judicial Magistrate, Dharmapuri and on further condition that the petitioners shall appear before the learned Special Judge/Chief Judicial Magistrate, Dharmapuri, on the first working day of every month at 10.30 a.m. until further orders.

-sd/-

05/05/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

WEB COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SPECIAL JUDGE/CHIEF JUDICIAL MAGISTRATE,
DHARMAPURI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

<https://hcservices.ecourts.gov.in/hcservices/>

3 THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
DHARMAPURI.

C.C. to M/S. S.ANBALAGAN Advocate on payment of necessary
charges

Order

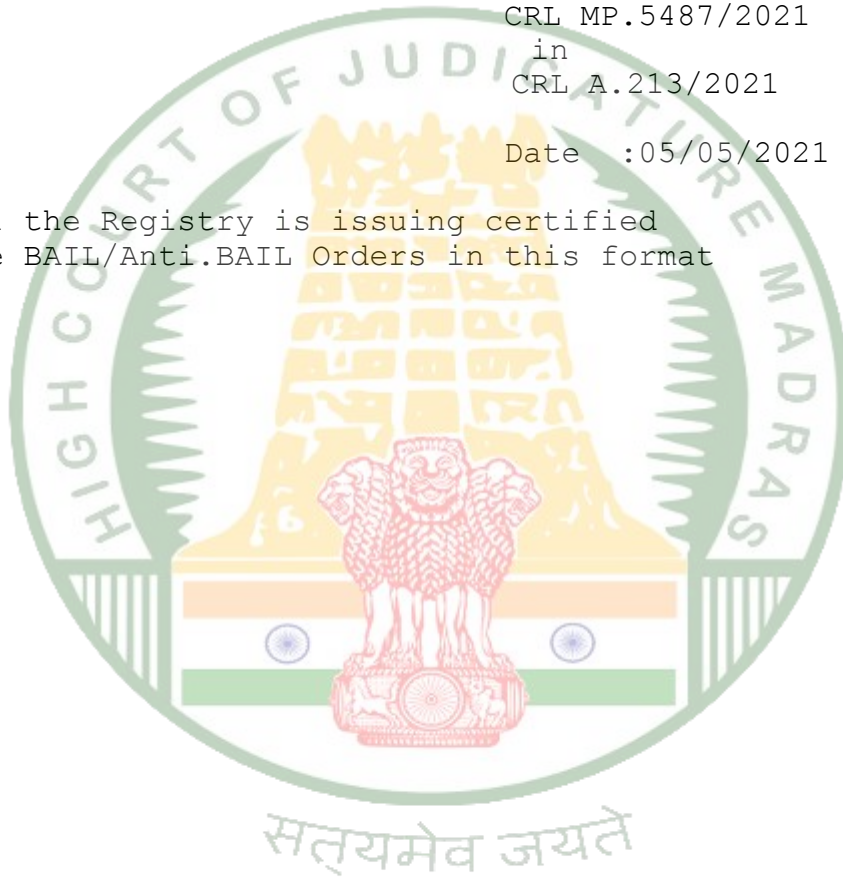
in
CRL MP.5487/2021

in
CRL A.213/2021

Date :05/05/2021

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

TA-10/05/2021



WEB COPY