

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.05.2021

CORAM :

THE HON'BLE Mr.JUSTICE G.R.SWAMINATHAN

Crl.M.P.No.5679 of 2021

in Crl.A.No.165 of 2021

R.Thenmozhi

... Petitioner

Vs.

State rep. By

The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Special Cell, Salem,
Salem District.

.... Respondent

(Crime No.1/AC/2001)

PRAYER: Criminal Miscellaneous Petition is filed under Section 389(1) Cr.P.C., to modify the order dated 16.04.2021 by suspending the sentence till the disposal of Crl.A.No.165/2021 instead of till 31.05.2021.

For Petitioner : Mr.V.Lakshminarayanan
for Mr.E.Kannadasan

For Respondent : Mr.L.Charles Premkumar
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner had suffered conviction in Spl.C.C.No.49 of 2014 on the file of the learned Special Judge, (Special Court for Trial of Cases) under the Prevention of Corruption (Act), Salem.

2.The petitioner figured as A2. The petitioner had filed Crl.A.No.165 of 2021 and the same has been admitted. Pending appeal, the petitioner sought for suspension of sentence.

3.The petitioner was granted interim suspension of sentence till 31.05.2021. The petitioner's counsel would state that when the appeal has been admitted, normally this Court suspend the sentence till the disposal of the appeal unless, there are special circumstances warranting denial of the said relief. In the present case, I do not find any such circumstances to deny such relief. Therefore, the earlier order passed by this Court is modified and

substantive sentence imposed on the petitioner by the impugned order is suspended pending disposal of the criminal appeal. All the other conditions imposed in the earlier order will remain intact.

4.The petitioner shall appear before the Trial court on the first working day of every month. This Criminal Miscellaneous Petition is allowed on the said terms.

-sd/-

06/05/2021

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

TRUE COPY

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

TO

1 THE SPECIAL JUDGE,
(SPECIAL COURT FOR TRIAL OF CASES) UNDER THE
PREVENTION OF CORRUPTION ACT, SALEM, SALEM DISTRICT.)

2 THE PUBLIC PROSECUTOR(V&AC)HIGH COURT, MADRAS.

3 THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
SPECIAL CELL, SALEM, SALEM DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

C.C. to M/S. E.KANNADASAN Advocate on payment of necessary charges Sr.5894

Order

in

CRL MP.5679/2021

in Crl.A.No.165 of 2021

Date :06/05/2021

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

RVR 11/05/2021