

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.05.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.M.P.No.5931 of 2021

in

Crl.A.No.266 of 2021

1.A.Sellamani  
2.K.Ramalingam

... petitioners

-Vs-

State rep. by  
The Inspector of Police,  
Economic Offence Wing-II,  
Erode  
Crime No.1/2016

...Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 389 (1) of Cr.P.C. to suspend the sentence imposed against the petitioners by the Special Court under TNPID Act at Coimbatore in CC.No.1 of 2017 dated 11.02.2021 and enlarge the petitioners on bail pending disposal of the said Crl.A.No.266 of 2021

For Petitioners : Mr.V.Parthiban

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

ORDER

This criminal miscellaneous petition has been filed against the judgment dated 11.02.2021 passed in CC.No.1 of 2017 on the file of the learned Special Judge, Special Court under TNPID Act at Coimbatore wherein, the petitioners were convicted and sentenced to undergo two years simple imprisonment and to pay fine of Rs.20,000/- for each counts, in total Rs.3,60,000/- under Section 120 (b) of IPC in default of payment of fine to undergo further one year simple imprisonment, to undergo three years simple imprisonment and to pay fine of Rs.20,000/- for each counts, in total Rs.3,60,000/- under Section 420 of IPC in default of payment of fine to undergo further one year simple imprisonment, to undergo three years simple imprisonment and to pay fine of Rs.20,000/- for each counts, in total Rs.3,60,000/- under Section 5 of TNPID Act in default of payment of fine to undergo further one year simple imprisonment.

2.The learned counsel for the petitioners submitted that the evidence has not been properly appreciated and there is a fair chance for the appellants to be acquitted in appeal.

3. The learned Government Advocate appearing for the respondent submitted that the Court below has appreciated the entire evidence and has given elaborate reasons for convicting and sentencing the petitioners.

4. Along with the petition, the petitioners filed petition to suspend the sentence. Considering the above fact that the appellants were imposed imprisonment for two years to three years, this Court is inclined to suspend the sentence and enlarge the petitioners on bail.

5. Accordingly, this miscellaneous petition is ordered and the sentence imposed by the Court below vide order dated 11.02.2021 passed in CC.No.1 of 2017 on the file of the learned Special Judge, Special Court under TNPID Act at Coimbatore, is hereby suspended and the petitioners are directed to be enlarged on bail, on condition that each of the petitioners shall execute 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 learned Special Judge for TNPID Act, Coimbatore and also the petitioners shall pay the fine as ordered by the trial court within a period of two weeks and on such deposit of fine, the petitioners are ordered to be released on bail till the disposal of the criminal appeal and they shall appear before the said Court on the first working day of every English Calender month at 10.30 A.M., until further orders.

-sd/-  
13/05/2021

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 UNDER TNPID ACT AT  
COIMBATORE.

2 THE INSPECTOR OF POLICE,  
ECONOMIC OFFENCE WING -II,  
ERODE.

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1C.C. to M/S.V.PARTHIBAN Advocate on payment of necessary  
charges SR.NO.6207

Order

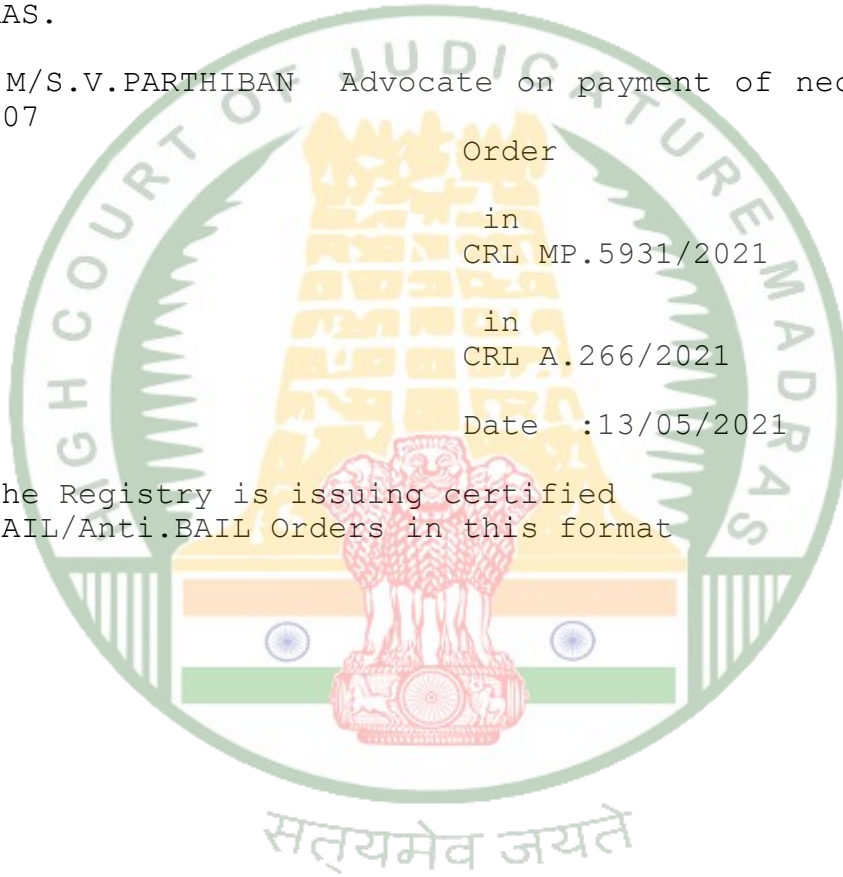
in  
CRL MP.5931/2021

in  
CRL A.266/2021

Date :13/05/2021

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

MK:20/05/2021



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