



Crl.M.P.No.12619 of 2021
in
Crl.A.No.223 of 2009

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V.BHARATHIDASAN, J.,

Criminal Miscellaneous Petition has been filed to implead the petitioner/proposed representative of the appellant as a legal representative of the deceased appellant and to proceed with the appeal.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

3.The Criminal Appeal has been filed by the first appellant/A1 against the judgment passed by the learned XI Additional for CBI cases in C.C.No.66 of 2000 on 27.04.2009 convicting the deceased appellant for an offences under Sections 120-B r/w 420 of IPC; 5(2) r/w 5(1)(d) of PC Act, 1947 and 13(2) r/w 13(1) (d) of PC Act, 1988 and sentencing him to undergo RI for 7 years and to pay fine of Rs.10,00,000/- in default to undergo RI for 1 year; convicting for an offence under Section 420 of IPC and sentencing him to undergo RI for 7 years and to pay fine of Rs.10,00,000/- and in default, to undergo RI for 1 year; and further convicting for an offence under Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988 (5 counts) and



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sentencing him to undergo RI for 7 years and to pay fine of Rs.10,00,000/- for each count. The sentences awarded for the offence under Section 420 of IPC and for the offence under Section 13(2) r/w 13(1)(d) of PC Act were ordered to run concurrently. The sentence awarded under Section 120B IPC and under Section 420 IPC and Section 13(1)(d) of Prevention of Corruption Act, 1988 were ordered to run consecutively. The total fine imposed on the appellant is Rs.70,00,000/-. Pending appeal, the appellant/A1 died. Hence, the present petition has been filed to bring the legal representative of the deceased appellant and to proceed with the appeal.

4.Considering the facts and circumstances of the case, this Court is inclined to allow the petition. Accordingly, this Petition is allowed.

02.12.2021

Note:

Registry is directed to carry out necessary amendment in the main appeal by impleading the proposed petitioner as appellant and to post the case on 17.12.2021.

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