



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Thirtieth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice C.V. KARTHIKEYAN

CRIMINAL MISCELLANEOUS PETITION No.9813 of 2021

IN CRL.A.No.445 of 2021

R.PADNABABHAN

[APPELLANT / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
CHENNAI CITY-I, DETACHMENT,
CHENNAI-600 028
CRIME NO.7 OF 2008

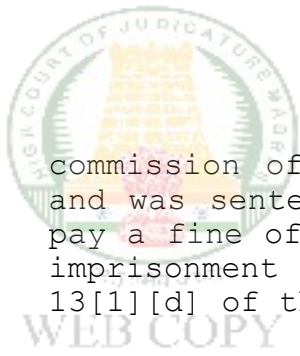
[RESPONDENT / COMPLAINANT]

Petition praying that in the circumstances stated therein the High Court will be pleased to suspend the sentence imposed in Spl.Case No.6 of 2009 on the file of the learned Chief Judicial Magistrate/Special Judge, Chengalpatt dated 20.09.2021 and enlarge the petitioner on bail till the disposal of Crl.A.No.445 of 2021 on the file of this Honourable Court and thus render justice.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.ARUNA ELANGO, Advocate for the petitioner and of MR.E.RAJ THILAK, Additional Public Prosecutor on behalf of the Respondent the court made the following order:-

[Video Conferencing]

1.This Criminal Miscellaneous Petition has been filed by the Petitioner / Accused, seeking suspension of sentence of imprisonment, imposed by the judgment, dated, 20.09.2021 made in Special Case No.6/2009, by the learned Special Judge /Chief Judicial Magistrate, Kancheepuram District at Chengalpattu, pending disposal of the Criminal Appeal, in and by which, the petitioner / Accused was convicted for the offences under Section 7 and 13[2] read with 13[1] [d] of the Prevention of Corruption Act, and was sentenced to undergo four years rigorous imprisonment and to pay a fine of Rs.1,000/- with a default sentence of three months simple imprisonment for the



commission of the offence u/s.7 of the Prevention of Corruption Act and was sentenced to undergo five years rigorous imprisonment and to pay a fine of Rs.5,000/- with a default sentence of six months simple imprisonment for the commission of the offence u/s.13[2] read with 13[1][d] of the said Act.

2.This court heard the learned counsel on either side and also perused the materials placed on record.

3.According to the learned counsel for the Petitioner/Accused, there are arguable points available in the Criminal Appeal, which is not likely to be taken for final hearing in the near future and the Petitioner/Accused has got a fair chance of succeeding in the Criminal Appeal and hence, the substantive sentences of imprisonment imposed against the Petitioner/Accused may be suspended. It is also his submission that the fine amount had already been paid.

4.The learned Additional Public Prosecutor has raised objections for suspending the sentence.

5.Considering the facts and circumstances of the case and also considering the submissions of the learned counsel and the learned Additional Public Prosecutor, this Court is of the view that the substantive sentences of imprisonment alone can be suspended on certain conditions.

6.Accordingly, till the disposal of the Criminal Appeal, the substantive sentences of imprisonment alone is suspended and the Petitioner/Accused is ordered to be enlarged on bail, on the following conditions:-

i.The Petitioner/Accused 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/Chief Judicial Magistrate, Kancheepuram District at Chengalpattu;

ii.The Petitioner//accused shall report before the said Court on the first Monday of every English Calendar month at 10.30 a.m., until further orders.

-sd/-
30/09/2021

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 CHIEF JUDICIAL MAGISTRATE/SPECIAL JUDGE,
CHENGALPET [FOR INFORMATION].

2 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
CHENNAI CITY-I, DETACHMENT,
CHENNAI-600 028

3 THE OFFICER INCHARGE,
SUB-JAIL, SAIDAPET, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 C.C. to M/S.ARUNA ELANGO Advocate on payment of necessary
charges SR.NO.10825

Order

in
CRL MP.9813/2021

in
CRL.A.445/2021

Date :30/09/2021

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

JPA 01/10/2021