



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fourteenth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL MISCELLANEOUS PETITION No.13395 of 2021

IN CRL.A.NO.320 of 2013

R. JAYAKUMAR

[PETITIONER / ACCUSED NO.5]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
CENTRAL BUREAU OF INVESTIGATION,
ANTI CORRUPTION BRANCH,
CHENNAI 600 006.

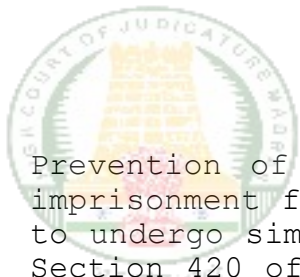
[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to relax the condition imposed that the petitioner to appear before the Trial Court every first working day of the month of July and January by this Honourable Court in Crl.M.P.No.3419/2018 in Crl.A.NO.320 of 2013 dated 06.03.2018 and thus render justice.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.V.R.MUKUNDAKUMAR, Advocate for the Petitioner and of MR.K.SRINIVASAN, Special public Prosecutor for CBI Cases on behalf of the Respondents the court made the following order:-

This petition has been filed to relax the condition imposed that the petitioner to appear before the Trial Court every first working day of the month of July and January by this Court in Crl.M.P.No.3419 of 2018 in Crl.A.No.320 of 2013 dated 06.03.2018.

2. The petitioner/appellant, who was arrayed as A5 in CC No.68 of 2004 on the file of the XI Additional City Civil and Sessions Judge (CBI Cases relating to Banks and Financial Institutions), Chennai, was convicted for the offence under Sections 120-B, r/w.420, 467, 467 r/w. 471 of IPC, 468, 468 r/w. 471 of IPC and 13(2) r/w. 13(1)(d) of



Prevention of Corruption Act and sentenced to under go rigorous imprisonment for one year and to pay a fine of Rs.5000/-, in default, to undergo simple imprisonment for 6 months and for the offence under Section 420 of IPC sentenced to undergo rigorous imprisonment for one year and to pay a fine of Rs.5000/-, in default, to undergo Simple Imprisonment for six months. Challenging the same, the petitioner/A5 has preferred an appeal before this Court. Pending appeal, he seeks suspension of sentence and this Court, by an order, dated 26.04.2013, suspended the sentence with a condition that the petitioner should appear before the concerned trial Court on the first working day of every alternative month. Subsequently, the same has been modified by the order of this Court in CrI.M.P.No.3419 of 2018, dated 06.03.2018 and the petitioner was directed to appear before the trial Court once in 6 months. Now, to relax the above said condition, the present petition has been filed.

3. This Court considered the submissions made on either side and perused the materials available on records carefully.

4. Considering the fact that already the condition was modified by this Court on 06.03.2018 and the petitioner was directed to appear before the Trial Court once in six months, and the above said condition is a fair one and there is no reason to modify the same and hence, this Court is inclined to dismiss the petition.

5. Accordingly, the Criminal Miscellaneous Petition is dismissed.

-sd/-

14/12/2021

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 XI ADDITIONAL CITY CIVIL
AND SESSIONS JUDGE,
(CBI CASES RELATING TO BANKS
AND FINANCIAL INSTITUTIONS), CHENNAI.

2 THE INSPECTOR OF POLICE
CENTRAL BUREAU OF INVESTIGATION,
ANTI CORRUPTION BRANCH, CHENNAI 600 006.



3 THE SPECIAL PUBLIC PROSECUTOR
FOR CBI CASES, HIGH COURT, MADRAS.

C.C. to M/S.V.R.MUKUNDAKUMAR Advocate on payment of necessary
charges.

Order

in
CRL MP.13395/2021
in
CRL A.320/2013

Date :14/12/2021

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JPA 15/12/2021