



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Fifth day of May Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL MP(MD) No.3693 of 2021

IN

CRL A(MD) No.219 of 2021

NADIMUTHU

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI-CORRUPTION,
SIVAGANGAI.
(CRIME NO.04/2006)

... RESPONDENT/COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence imposed on the appellant/sole accused in SPL.CC.No.27 of 2014 dated 23.04.2021 on the file of the Special Court for Trial of Cases under prevention of Corruption Act, Sivagangai and enlarge the petitioner on bail till the disposal of the appeal pending on the file of this Hon'ble Court.

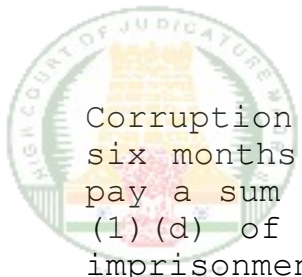
Prayer in CRL A(MD) No.219 of 2021:

To call for records and set aside the judgment passed by the special Court for Trial of Cases under Prevention of Corruption Act., Sivagangai in Spl.C.C.No.27 of 2014 dated 23.04.2021 and acquit the Appellant/Sole Accused from all the charges level against the petitioner.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/s.AJU TAGORE, Advocate for the petitioner and of Mr.K.K.RAMAKRISHNAN, Additional Public Prosecutor on behalf of the Respondent, while admitting the CRL.A., the court made the following order:-

This petition is filed to suspend the sentence awarded by the trial Court in SPL.C.C.No.27 of 2014, dated 23.04.2021 on the file of the Special Court for Trial of Cases under prevention of Corruption Act, Sivagangai.

2.The appellant was convicted and sentenced to undergo simple imprisonment for a period of four years and to pay a sum of Rs.1,000/- for the offence under Section 7 of the Prevention of



Corruption Act i/d to undergo simple imprisonment for a period of six months and to undergo four years of simple imprisonment and to pay a sum of Rs.1,000/- for the offence under Section 13(2) r/w 13 (1)(d) of the Prevention of Corruption Act i/d to undergo simple imprisonment for a period of six months. The period of imprisonment for the two sentences are ordered to run concurrently in SPL.C.C.No.27 of 2014 by the Special Court for Trial of Cases under prevention of Corruption Act, Sivagangai, dated 23.04.2021.

3. As against the said conviction and punishment, the petitioner has preferred an appeal in Crl.A.No.219 of 2021. In this criminal appeal, the petitioner has filed the present petition and prayed for the suspension of sentence pending disposal of the said appeal.

4. Heard the submissions made on both sides and perused the judgment and other records available.

5. The learned counsel appearing for the petitioner would submit that the petitioner is a old aged person and he is suffering from cancer. In this regard, medical records are also filed before this Court.

6. After considering the above submissions, this Court finds that there are arguable points involved to be decided in the Criminal Appeal. Thus, this Court deems it appropriate to suspend the substantive portion of sentence imposed on the petitioner.

7. Accordingly, the Miscellaneous Petition is allowed and the sentence of imprisonment awarded by the trial Court is hereby suspended till the disposal of the appeal and the petitioner is directed to be enlarged on bail on his executing 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 Special Court for Trial of Cases under prevention of Corruption Act, Sivagangai, subject to a condition that the appellant shall appear before the said Court once in a month i.e, on the first working day of every month at 10.30 A.M until further orders.

sd/-
05/05/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO
1 THE JUDGE,
SPECIAL COURT FOR TRIAL OF CASES UNDER
PREVENTION OF CORRUPTION ACT,



2 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI-CORRUPTION,
SIVAGANGAI.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP (MD) No.3693 of 2021
IN
CRL A (MD) No.219 of 2021
Date :05/05/2021

gns/ssb
JM/VR/SAR IV/06.05.2021/3P/5C