



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

Tuesday, the Seventh day of December Two Thousand and Twenty One
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.10768 of 2021
IN
CRL A(MD)No.506 of 2021

R.PITCHAI MUTHU

... PETITIONER/APPELLANT

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
VIGILANCE AND ANTI-CORRUPTION,
TIRUCHIRAPPALLAI
(CRIME NO.15 OF 2010)

... RESPONDENT/RESPONDENT

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 petitioner by the Special Court/Chief Judicial Magistrate Court, Karur, Karur District in Spl.C.C.No. 6/2014, dated. 23.11.2021 and enlarge the petitioner on bail till the disposal of the Main Criminal Appeal.

PRAYER IN CRL A(MD)No.506/2021:

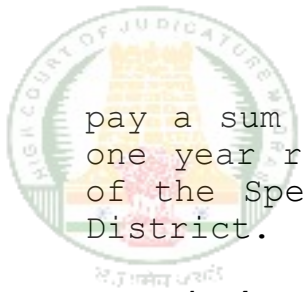
To call for the records pertaining to the judgement of conviction and sentence passed against the Appellant in Spl.C.C.No.6 of 2014, dated 23.11.2021 on the file of the Special Court / Chief Judicial Magistrate Court, Karur, Karur District and set aside the same.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.R.MURUGAPPAN, Advocate for the petitioner and of Mr.RMS.SETHURAMAN, Additional Public Prosecutor on behalf of the Respondent, While admitting the Crl.A, the court made the following order:-

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

2.I have perused the petitioner's affidavit filed in support of the above petition, judgment of the trial Court and the memorandum of the appeal.

3.The petitioner has been convicted by the learned trial Judge for the offence under Section 12 of the Prevention of Corruption Act, 1988 to undergo two years of rigorous imprisonment and order to



pay a sum of Rs.20,000/- as fine, failing which to undergo further one year rigorous imprisonment in Spl.C.C.No.6 of 2014 on the file of the Special Court/Chief Judicial Magistrate Court, Karur, Karur District. The trial Court suspended the sentence up to 23.12.2021.

4.The learned counsel appearing for the petitioner has raised substantial points in the memorandum of appeal, which requires a detailed consideration by this Court.

5.Considering the facts and circumstances of the case and also considering the submissions of the learned counsel for the petitioner that there are several infirmities in the prosecution case in respect of the petitioner and that there are arguable points involved in the appeal and further that the appeal is not likely to be taken up for final hearing in the near future, this Court is of the view that the petitioner herein is entitled to the relief of suspension of sentence.

6.Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal and the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the Special Court/Chief Judicial Magistrate Court, Karur, Karur District and on further condition that the petitioner shall appear before the said Court on the first working day of every month at 10.30 am., pending appeal.

sd/-

07/12/2021

/ TRUE COPY /

/ /2021

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

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

- 1 THE SPECIAL JUDGE,
CHIEF JUDICIAL MAGISTRATE COURT,
KARUR, KARUR DISTRICT.
- 2 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI-CORRUPTION,
TIRUCHIRAPPALLAI



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

WEB COPY

+1. C.C. to M/S. MURUGAPPAN.R Advocate SR.No.8946

ORDER

IN

CRL MP(MD) No.10768 of 2021

IN

CRL A(MD)No.506 of 2021

Date :07/12/2021

SA/PN/SAR.3/14.12.2021/3P/5C