



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eleventh day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL MISCELLANEOUS PETITION No.4855 of 2022

IN CRL A.400 of 2022

GREETA FERNANDO

[PETITIONER / APPELLANT / ACCUSED]

Vs

STATE REP BY

[RESPONDENT / COMPLAINANT]

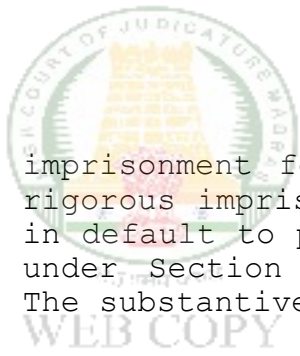
THE DEPUTY SUPERINTENDENT OF POLICE,
SPECIAL INVESTIGATION CELL,
VIGILANCE AND ANTI CORRUPTION,
CHENNAI 600 028
(CRIME NO.21/09/AC/HQ)

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Suspend the Sentence imposed on the petitioner by the Special Judge Cum Chief Judicial Magistrate, Kancheepuram District at Chengalpattu made in Spl.C.6/2010 dated 22.03.2022 and enlarge the petitioner on bail pending disposal of the above Crl.A.No.400 of 2022.

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 T.R.RAVI, Advocate for the petitioner and of M/S.E.RAJ THILAK, Additional Public Prosecutor on behalf of the Respondent the court made the following order:-

This petition is filed to suspend the sentence of imprisonment imposed in the judgment dated 22.03.2022 made in Spl.Case No.6/2010 on the file of the learned Special Judge cum Chief Judicial Magistrate, Kancheepuram District at Chengalpattu and enlarge the petitioner on bail.

2. Appellant was convicted for the offences under Sections 7, 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988, and sentenced to undergo four years rigorous imprisonment and to pay a fine of Rs.1,000/-, in default to pay the fine, to undergo simple



imprisonment for three months under Section 7; sentenced to undergo rigorous imprisonment for five years and to pay a fine of Rs.5,000/-, in default to pay the fine, to undergo six months simple imprisonment under Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act. The substantive sentences are ordered to run concurrently.

3. Challenging the same, the present appeal has been filed along with this petition for suspension of sentence.

4. Heard the learned counsel for the appellant and the learned Additional Public Prosecutor for the respondent.

5. It is submitted by the learned counsel for the appellant/petitioner that the charge against the petitioner is that she is said to have demanded a sum of Rs.30,000/- as illegal gratification for recommending the regularisation of services of defacto complainant. However, he further submitted that when the appellant made a surprise inspection in the school, one lady was taking class for students. Then, she admonished P.W.2 and made adverse remarks. Therefore, to wreck vengeance on the appellant, P.W.2 had given a false complaint. It is submitted that earlier trap attempt failed and there are discrepancies in the entrustment mahazar. Therefore, he seeks admission of the appeal and suspension of sentence.

6. In response, the learned Additional Public Prosecutor submitted that trap was successful and proved by the evidence of P.W.2 and P.W.3.

7. Considered the rival submission and taking into the consideration of points raised by the learned counsel for the petitioner and other arguable points involved in this appeal and she is in custody for 20 days from the date of the judgment, this Court is inclined to suspend the sentence till the disposal of this appeal and the petitioner is ordered to be released on bail on condition that

i) the petitioner 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 cum Chief Judicial Magistrate, Kancheepuram District at Chengalpattum, within a period of two weeks from the date of receipt of copy of this order and also;



ii) the petitioner shall appear before the above said Court on the first working day of every English calendar month at 10.30 a.m., until further orders.

WEB COPY

-sd/-
11/04/2022

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 SPECIAL JUDGE CUM
CHIEF JUDICIAL MAGISTRATE, CHENGALPET.

2 THE DEPUTY SUPERINTENDENT OF POLICE,
SPECIAL INVESTIGATION CELL,
VIGILANCE AND ANTI CORRUPTION,
CHENNAI 600028

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN, PUZHAL.

+1 C.C. to M/S T.R.RAVI Advocate on payment of necessary charges
SR.NO.5503

Order
in
CRL MP.4855/2022
in
CRL A.400/2022

Date :11/04/2022

From 7.2.2001 the Registry is issuing certified
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JPA 11/04/2022