



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.4843 of 2022

IN CRL A.396/2022

B.RENGARAJAN

[PETITIONER/APPELLANT/ACCUSED]

Vs

STATE REP BY

[RESPONDENT/COMPLAINANT]

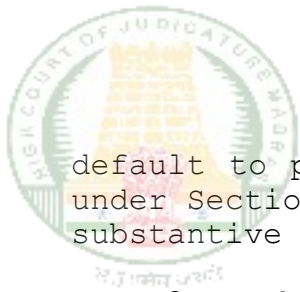
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
THIRUVARUR.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Suspend the Sentence passed by the Learned Chief Judicial Magistrate/Special Judge at Thiruvavarur in Special.Calendar Case.32/2013,CNR.TNTV02-000609-2013 on the file of the Chief Judicial Magistrate/Special Judge at Thiruvavarur dated 29.03.2022 and enlarge the petitioner on bail such terms and condition pending disposal of the CRL.A.396/202.(CRL.MP.NO.4843/2022)

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. K. SELLATHURAI, Advocate for the petitioner and of MR.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 29.03.2022 made in Spl.C.C.No.32/2013 on the file of the learned Chief Judicial Magistrate/Special Judge at Thiruvavarur.

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 three years simple imprisonment and to pay a fine of Rs.1,000/-, in default to pay the fine, to undergo simple imprisonment for six months under Section 7; sentenced to undergo simple imprisonment for one year and to pay a fine of Rs.1,000/-, in



default to pay the fine, to undergo three 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 P.W.2/defacto complainant had given Rs.2,000/- to the appellant only towards the payment of kist amount. It was not received as a bribe amount. However, without considering the admissions made by P.W2, the trial Court had wrongly convicted and sentenced the appellant.

6. Per contra, the learned Additional Public Prosecutor for the respondent submitted that P.W.2 had clearly given evidence with regard to the demand of bribe and acceptance. P.W.3 corroborated this evidence with regard to acceptance of bribe amount and recovery.

7. However, considering the points raised by the learned counsel for the appellant/petitioner and other also arguable points involved in this case, and that it may take some time for taking the appeal for final hearing and also the fact that the trial Court has suspended the sentence till 28.04.2022, 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 Chief Judicial Magistrate/Special Judge, Thiruvarur, 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.

-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.



1 THE JUDICIAL MAGISTRATE/SPECIAL JUDGE,
THIRUVARUR.

2 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
THIRUVARUR.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1C.C. to M/S. K. SELLATHURAI Advocate on payment of necessary
charges SR.No.5557

Order
in
CRL MP.4843/2022
in
CRL A.396/2022
Date :11/04/2022

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

CSK 13/04/2022