



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Second day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice C.V.KARTHIKEYAN

CRIMINAL MISCELLANEOUS PETITION No.6397 of 2022

IN CRL A.492 OF 2022

S.PALANISAMY

[PETITIONER / APPELLANT
6th ACCUSED IN JAIL]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ECONOMIC OFFENCES WING II,
ERODE.

[RESPONDENT / COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to release the petitioners on bail by suspending the sentence appealed against in C.C.No.15 of 2012 on 05.04.2022 on the file of the Special Judge, Special Court under the Tamil Nadu Protection of Interests of Depositors Act Cases, Coimbatore, pending disposal of the above Crl.A.No.492 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.G.MURUGENDRAN, Advocate for the petitioner and of MR.R.VINOTHRAJA, Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

This Criminal Miscellaneous Petition has been filed by the 6th Accused seeking suspension of sentence of imprisonment, imposed by the judgment, dated, 05.04.2022 made in C.C.No.15 of 2012 by the Learned Special Judge, Special Court under the Tamil Nadu Protection of Interests of Depositors Act Cases, Coimbatore, pending disposal of the appeal, in and by which, the petitioner / 6th Accused was sentenced to undergo one day imprisonment till the rising of the court and each to pay fine of Rs.50,000/- under Section 120B r/w 420 of IPC, in default of payment of fine to undergo further one and half years simple imprisonment ,



the petitioner / 6th Accused was sentenced to undergo one day simple imprisonment till the rising of the court and to pay fine of Rs.50,000/- under Section 420 of IPC, in default of payment of fine to undergo further one and half years simple imprisonment , the petitioner / 6th Accused was sentenced to undergo one day imprisonment till the rising of the court and to pay fine of Rs.50,000/- under Section 5 of TNPID Act, in default of payment of fine to undergo further two years simple imprisonment.

2. This court heard the learned counsel on either side and also perused the materials placed on record. The learned Government Advocate (crl.side) has taken notice for the respondent on 12.05.2022.

3. It is stated by the learned counsel for the petitioner that six other accused has been granted bail during the course of trial.

4. According to the learned counsel for the Petitioner/6th Accused, there are arguable points available in the Criminal Appeal, which are not likely to be taken for final hearing in the near future and the Petitioner/6th Accused has got a fair chance of succeeding in the Criminal Appeal and hence, the substantive sentences of imprisonment imposed against the Petitioner/6st Accused may be suspended.

5. The learned Government Advocate (crl.side) has raised objections for suspending the sentence.

6. Considering the facts and circumstances of the case and also considering the submissions of the learned counsel and the learned Government Advocate (crl.side), this Court is of the view that the substantive sentences of imprisonment alone can be suspended on certain conditions.

7. Accordingly, till the disposal of the Criminal Appeal, the substantive sentences of imprisonment alone is suspended and the Petitioner /6 th Accused is ordered to be enlarged on bail, on the following conditions:-

i) The petitioner/6th Accused shall deposit Rs.1,50,000/- (Rupees One Lakh Fifty Thousand) before the Trial Court, on or before 10.06.2022. Thereafter, the Petitioner/6th Accused 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 Court of Learned Special Judge, Special Court under the Tamil Nadu Protection of Interests of Depositors Act Cases, Coimbatore



ii) The Petitioner/6th accused shall report before the said Court once in every month at 10.30 a.m., until further orders.

WEB COPY

-sd/-
02/06/2022

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,
SPECIAL COURT TAMILNADU PROTECTION OF
INTERESTS OF DEPOSITORS ACT CASES,
COIMBATORE.

2 THE INSPECTOR OF POLICE,
ECONOMIC OFFENCES WING II,
ERODE.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

C.C. to M/S.G.MURUGENDRAN Advocate on payment of necessary charges

Order
in
CRL MP.6397/2022
in
CRL A.492/2022

Date :02/06/2022

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

JPA 02/06/2022