



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice C.V. KARTHIKEYAN

CRIMINAL MISCELLANEOUS PETITION No.6983 of 2022

IN CRL A.529/2022

S.MANI

[PETITIONER/APPELLANT/ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
CHENNAI.

[RESPONDENT/COMPLAINANT]

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 in Spl.C.C.03/2013 dated 24.05.2022 by the Learned Chief Judicial Magistrate/Special Court, Thiruvallur and enlarge the petitioner on bail pending disposal of the Crl.A.No.529 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 S.SENTHIL MURUGAN, Advocate for the petitioner, and of M/S.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 Petitioner/ Accused, seeking suspension of sentence of imprisonment, imposed by the judgment, dated, 24.05.2022 made in Spl.C.C.No.03 of 2013, by the learned Chief Judicial Magistrate Special Court, Thiruvallur, pending disposal of the Criminal Appeal, in and by which, the petitioner / Accused was convicted for the offence under Section 7 of Prevention of Corruption Act, 1989, the petitioner / Accused was sentenced to undergo four years Rigorous imprisonment and to pay a fine of Rs.20,000/- in default to undergo simple imprisonment for a period of three months and for the offence punishable under Section 13 (1)(d) r/w Section 13(2) of Prevention of Corruption Act, 1988, the petitioner / Accused was sentenced to



undergo four years Rigorous imprisonment and to pay a fine of Rs.20,000/- in default to undergo simple imprisonment for a period of three months.

2. Mr.R.Vinoth Raja, learned Government Advocate (crl.side) takes notice on behalf of the respondent. This court heard the learned counsel on either side and also perused the materials placed on record.

3. According to the learned counsel for the Petitioner/ Accused, there are arguable points available in the Criminal Appeal, which is not likely to be taken for final hearing in the near future and the Petitioner/ Accused has got a fair chance of succeeding in the Criminal Appeal and hence, the substantive sentences of imprisonment imposed against the Petitioner/ Accused may be suspended. It is also his submission that the fine amount had already been paid.

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

5. 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.

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

- i. The Petitioner/ 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 Chief Judicial Magistrate, Thiruvallur.

The Petitioner/ accused shall report before the said Court on the first working day of every English Calendar month at 10.30 a.m., until further orders.

-sd/-
01/06/2022

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.



1 THE CHIEF JUDICIAL MAGISTRATE
SPECIAL COURT, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR.

3 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

+1 C.C. to M/S S.SENTHIL MURUGAN Advocate on payment of
necessary charges SR.NO.8282

Order

in
CRL MP.6983/2022

in
CRL A.529/2022

Date :01/06/2022

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TA-01/06/2022