



Crl.M.P.No.13908 of 2022
in Crl.A.No.284 of 2018

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M. NIRMAL KUMAR, J.

This Criminal Miscellaneous Petition has been filed seeking to permit the petitioners to continue the above Criminal Appeal No.284 of 2018 pending before this Court, since the appellant was deceased on 09.12.2021.

2. The appellant's wife, namely, S.Varadhalakshmi and his other legal heirs have filed this petition for the reason that the appellant/1st petitioner's husband, who is an accused in C.C.No.5 of 2012 was convicted by the trial Court for the offences punishable under Sections 7 and 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988. For the offence under Section 7 of P.C. Act, the accused was sentenced to undergo one year Rigorous Imprisonment and to pay a fine of Rs.1,000/- in default to undergo Simple Imprisonment for three months. For the offence under Section 13(2) r/w 13(1)(d) of P.C. Act, sentenced to undergo two years Rigorous Imprisonment and to pay a fine of Rs.1,000/- in default to undergo Simple Imprisonment for three months. Challenging the above conviction and sentence, the appellant has filed Crl.A.No.284 of 2018 before this Court. During the pendency of the appeal, the appellant, G.Sundaramurthy passed away leaving behind his wife/1st petitioner, sons/2nd and 3rd petitioners and mother/4th petitioner. Hence, this petition has been

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filed seeking permission to permit the petitioners to continue the above Criminal Appeal No.284 of 2018.

3. Learned counsel appearing for the petitioners submitted that the other legal heirs have no objection for the 1st petitioner/wife of the appellant to proceed with the appeal.

4. The learned Government Advocate (Crl. Side) appearing for the respondent-Police has no objection to substitute and implead S.Varadhalakshmi/wife of the appellant/1st petitioner in the place of G.Sundaramoorthi/appellant, who is no more, in the above appeal.

5. In view of the same, this Criminal Miscellaneous Petition is ordered to the extent as indicated above.

08.09.2022

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Note: The Registry is directed to carry out necessary amendment in the Criminal Original Petition and post the case in usual course.

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