



Crl.M.P.No.10237 of 2021 in Crl.A.No.467 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12..07..2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Criminal Miscellaneous Petition No.10237 of 2021
in
Criminal Appeal No.467 of 2021

- 1.M/s.Mathi Emu Farms @ Mathi Farms,
No.157, Mattankadu,
M.Thottipalayam,
Nadupatty Post,
Vijayamangalam, Erode District,
Rep.by the Mr.C.Thangavel (2nd petitioner herein/A2)
and Mr.P.Dhanasekaran (A3)
- 2.C.Thangavel (A2)
S/o. C.Chennimalai Gounder

... Petitioners

-Versus-

The State Rep. By
Inspector of Police,
Economic Offences Wing-II, Erode.
[Crime No.1072 of 2012]

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 389(1) r/w 439 of the Code of Criminal Procedure praying suspend the sentence of imprisonment imposed by the learned Special Judge, Special Court under



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TNPID Act, Coimbatore, by judgment dated 27.08.2021 in C.C.NO.32 of 2013 and to enlarge the petitioner on bail pending disposal of the criminal appeal.

For Appellant : Mr.M.Guruprasad

For Respondent / State: Mr.S.Vinoth Kumar, GA (Crl. Side)

ORDER

This Criminal Miscellaneous Petition is filed seeking to suspend the sentence of imprisonment imposed on the petitioner by the learned Special Judge, Special Court under TNPID Act, Coimbatore, by judgment dated 27.08.2021 in C.C.NO.32 of 2013.

2. Heard both sides.

3. This is a case of conviction under the The Tamil Nadu Protection of Interests of Depositors (In Financial Establishments) Act, 1997 (TNPID) whereunder the petitioner/appellant seeks suspension of sentence including payment of fine.

4. Earlier, When this court questioned whether the petitioner will be able to pay even a portion of fine amount, the learned counsel appearing on behalf of the petitioner after taking time and getting instructions, the learned



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counsel reported in the negative.

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5. In view of the same, without paying even a portion of the fine amount, this court is not inclined to suspend the substantive sentence of imprisonment and enlarge the petitioner on bail pending disposal of the criminal appeal. Therefore, this application is dismissed for the present.

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Index : yes/no

Speaking order/Non-speaking order

kmk

To

1.The Special Judge, Special Court under TNPID Act, Coimbatore.



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D.BHARATHA CHAKRAVARTHY. J.,

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