



Crl.MP.No.14570 of 2022 in Crl.A.No.363 of 2022

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M.NIRMAL KUMAR, J.

This petition has been filed to relax the condition imposed by this Court by its order dated 05.04.2022 in Crl.MP.No.4248 of 2022, pending disposal of Crl.A.No.363 of 2022.

2. The petitioner, who was arrayed as accused in C.C.No.2 of 2011 was convicted by the trial Court on 19.12.2018 and sentenced for the offences under Section 120 B of IPC, to undergo rigorous imprisonment for one year and to pay fine amount of Rs.5,000/-, in default, to undergo simple imprisonment for three months and for the offences under Section 13(2) r/w. 13(1)(d) of Prevention of Corruption Act to undergo rigorous imprisonment for four years and to pay fine amount of Rs.1,00,000/-, in default, to undergo simple imprisonment for one year, against which, the accused had preferred an appeal in Crl.A.No.363 of 2022, along with a Miscellaneous Petition in Crl.M.P.No.4248 of 2022, seeking Suspension of Sentence.

3. This Court, by order dated 05.04.2022, suspended the



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sentence of the Petitioner with the condition that Petitioner shall appear before the learned XIV Additional/Special Judge for CBI cases full additional charge of XII Additional/Special Judge for CBI Cases, Chennai, on the first working day of every English calendar month at 10.30 am, until further orders.

4. Learned counsel for the petitioner submitted that the petitioner has been complying with the conditions from May 2022 onwards. The petitioner is now 66 years old, having cardiac problem and he has undergone open heart surgery and every month he has to travel from Odisha to Chennai to comply the condition. The Petitioner is also suffering from blood pressure, sugar, hydrocele and inguinal hernia. Hence, he finds it difficult to appear before the said Court, on the first working day of every month and comply with the condition. Hence, he prays to relax the condition imposed on 05.04.2022.

5. Petitioner's health condition is not seriously disputed by the learned Special Public Prosecutor.



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6. Considering the facts and circumstances of the case and the petitioner is coming from Odisha and is also a senior citizen, suffering from various health ailments, the condition imposed on the Petitioner to report before the learned XIV Additional/Special Judge for CBI cases full additional charge of XII Additional/Special Judge for CBI Cases, Chennai, is relaxed.

23.09.2022
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Dated: 23.09.2022