



CrI.M.P.No.18903 of 2022 in CrI.A.No.295 of 2022

**CrI.M.P.No.18903 of 2022  
in  
CrI.A.No.295 of 2022**

**V.SIVAGNANAM, J.**

Today, this matter is posted under the caption 'for being mentioned' at the instance of the learned counsel for the petitioner.

2. Learned counsel for the petitioner submitted that this Court, by order dated 13.12.2022, granted suspension of sentence and bail to the first petitioner on conditions; but due to inadvertance, the satisfaction Magistrate has been wrongly mentioned as 'Judicial Magistrate, Cuddalore' instead of 'Sessions Judge, Mahila Court, Cuddalore'; based on the same, in the order granting suspension of sentence, in condition No (i), the satisfaction Magistrate has been mentioned as 'Judicial Magistrate, Cuddalore, instead of 'Sessions Judge, Mahila Court, Cuddalore'.

3. He would further submit that however, it would be convenient for the petitioner to execute the own bond to the satisfaction of Superintendent of Central Prison, Cuddalore. Thus, he prayed for appropriate direction.

4. In view of the submissions made by the learned counsel for the petitioner, the condition No.(i) imposed on the petitioner in the order dated



13.12.2022 made in Crl.M.P.No.18903 of 2022 in Crl.A.No.295 of 2022 is hereby deleted and the following passage is inserted as condition No.(i);

*'(i) the substantive sentence of imprisonment alone is suspended and the first petitioner is directed to be enlarged on bail on condition that the first petitioner shall execute his own bond for a sum of Rs.10,000/- (Rupees ten thousand only) to the satisfaction of the Superintendent of Central Prison, Cuddalore.'*

5. Except the above, all other conditions remain unaltered.

6. The Registry is directed to issue order copy afresh after making necessary corrections as stated above,

15.12.2022

msr

**V.SIVAGNANAM, J.**



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**CrI.M.P.No.18903 of 2022  
in  
CrI.A.No.295 of 2022**

15.12.2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 08.12.2022**



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CrI.M.P.No.18903 of 2022 in CrI.A.No.295 of 2022

**CORAM**

**THE HONOURABLE MR.JUSTICE V.SIVAGNANAM**

**CrI.M.P.No.18642 of 2022**

**in**

**CrI.A.No.1234 of 2022**

T.Gundu Reddy

... Petitioner

/vs/

State, represented by  
the Inspector of Police,  
Economic Offences Wing-II,  
Villupurm

.. Respondent

**Prayer :** Criminal Miscellaneous Petition filed under section 389(1) of Cr.P.C., to suspend the sentence ordered by the learned Speical Court under TNPID Act in C.C.No.06 of 2010, dated 08.11.2022.

For Petitioner

... Mr. B. Jawahar

For Respondents

... Mr.E.Raj Thilak

Additional Public Prosecutor

**ORDER**

This criminal miscellaneous petition has been preferred seeking to suspend the sentence imposed on the petitioner by judgment and order dated 08.11.2022 passed in C.C.No.06 of 2010 on the file of the Special Court under TNPID Act, Chennai and enlarge the petitioner on bail till the disposal of the CrI.A.No.1234 of 2022.

2. The petitioner, who was A-3 in C.C.No.06 of 2010 before the Court of Special Judge under TNPID Act, Chennai was convicted and sentenced as follows:

| <b><i>Petitioner's Rank</i></b> | <b><i>Provision under which convicted</i></b> | <b><i>Sentence</i></b>                            |
|---------------------------------|-----------------------------------------------|---------------------------------------------------|
| A3                              | Section 5 of TNPID,                           | 3 years simple imprisonment for each count and to |



| <b><i>Petitioner's Rank</i></b> | <b><i>Provision under which convicted</i></b> | <b><i>Sentence</i></b>                                                                                                                                                         |
|---------------------------------|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                 | 1997 (89 counts)                              | pay a fine of Rs.25,000/- for each count, in total, to pay Rs.22,25,000/- for 89 counts, in default to pay fine, to undergo simple imprisonment for 3 months for each default. |

The period of detention already undergone by the petitioner is ordered to be set off under section 428 Cr.P.C and the sentence of imprisonment was ordered to run concurrently.

3. Challenging the above conviction and sentence, the petitioner (A-3) has filed CrI.A.No.1234 of 2022 along with the instant miscellaneous petition, seeking suspension of sentence and bail.

4. Heard Mr.K. Rajendra Prasad, learned counsel for the petitioner and Mr.C.E.Pratap, learned Govt. Advocate (crl.side) appearing for the State.

5. It is alleged that the petitioner – A3 along with A2, representing them as partners of the A1- company, ran a chit fund business and thereafter cheated the depositors of A1-company by not repaying the chit amounts. Out of three accused, the trial Court found the petitioner (A-3) guilty of the offence under Section 5 of the TNPID Act and sentenced him as stated above. The other accused viz. A2 is also convicted and sentenced under section 5 of TNPID Act. This is the first bail application by the petitioner. The fine amount was not yet paid.

6. The petitioner has raised substantial grounds in the appeal which require detailed appraisal. Moreover, the petitioner has been now confined in Puzhal Central Jail, Chennai Further, the appeal is not likely to be taken up



in the near future. In such view of the matter, this Court is of the view that the petitioner is entitled to the relief of suspension of sentence and bail.

WEB COPY 7. Accordingly, the relief of suspension of sentence and bail is granted to the petitioner on the following conditions:

- (i) The petitioner shall execute a bond for a sum of Rs.10,000/-, with two sureties, each for a like sum to the satisfaction of the Special Court under TNPID Act, Chennai
- (ii) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity; and
- (iii) The petitioner shall appear before the trial Court everyday at 10.30 a.m. for a period of four weeks and thereafter, the petitioner shall appear before the trial Court on the first working day of every month at 10.30 a.m. until the disposal of the appeal and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

08.12.2022

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Note : Issue copy today.

To

1. The Special Court under TNPID Act, Chennai



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2.The Superintendent of Prison,  
Central Prison  
Puzhal.

3.The Inspector of Police  
Economic Offences Wing-II,  
Villupuram.

4.The Public Prosecutor  
High Court, Madras

**V.SIVAGNANAM, J.**

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08.12.2022