



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Fifth day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.15138 of 2022

IN

CRL A(MD) No.838 of 2022

GANESHAMURTHY

... PETITIONER/APPELLANT

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION,
TIRUCHIRAPPALLI.
(CRIME NO.19/2007)

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to enlarge the petitioner on bail by suspending the sentence imposed upon him in Special Case No.65/2011 on the file of the Special Court of Trial of Cases under Prevention of Corruption Act, Tiruchirappalli by judgement dated 25.11.2022 pending disposal of the main Criminal Appeal.

PRAYER IN CRL.A(MD).838 of 2022:

Pleased to call for the records set aside the conviction and sentence passed by the Special Court of Trial of Cases under Prevention of Corruption Act, Tiruchirappalli in Special Case No.65 of 2011 dated 25.11.2022.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.LENIN KUMAR T, Advocate for the petitioner and of Mr.A.THIRUVADI KUMAR, Additional Public Prosecutor on behalf of the Respondent, While admitting the CRL A., the court made the following order:-

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Special Court of Trial of Cases under Prevention of Corruption Act, Tiruchirappalli in Spl.Case.No.65 of 2011 vide judgment dated 25.11.2022 and enlarge the petitioner on bail pending disposal of the appeal.



2.The learned counsel for the petitioner submitted that the petitioner has been convicted by the learned trial judge, for the alleged offences under Section 7 of Prevention of Corruption Act, 1988 and sentenced him to undergo rigorous imprisonment for a period of one year and to pay a fine of Rs.10,000/- in default to undergo simple imprisonment for a period of six months and for the alleged offences under Section 13(2) r/w 13(1)(d)(i) of Prevention of Corruption Act, 1988 and sentenced him to undergo rigorous imprisonment for a period of three years and to pay a fine of Rs.10,000/- in default to undergo simple imprisonment for a period of six months, in Spl.Case.No.65 of 2011 on the file of the learned Special Court of Trial of Cases under Prevention of Corruption Act, Tiruchirapalli.

3.It is submitted by the learned counsel for the petitioner that the sentence was already suspended by the trial Court for a period of one month.

4.Having regard to the fact that there are arguable points involved in the appeal and further, the appeal is not likely to be taken up for final hearing in the near future and also considering the fact the petitioner is already enlarged on bail by the trial Court, the suspension of sentence petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal and the petitioner is directed to be enlarged on bail on condition that the petitioner 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 learned Special Court of Trial of Cases under Prevention of Corruption Act, Tiruchirapalli and on further condition that the petitioner shall appear before the said Court once in a week at 10.30 a.m. pending appeal.

sd/-

05/12/2022

/ TRUE COPY /

07/12/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDGE,
SPECIAL COURT OF TRIAL OF CASES UNDER
PREVENTION OF CORRUPTION ACT,
TIRUCHIRAPPALLI.

2 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION,
TIRUCHIRAPPALLI.

<https://www.mhc.tn.gov.in/judis>



3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

WEB COPY

+1. C.C. to M/S.LENIN KUMAR T Advocate SR.No.14378

ORDER

IN

CRL MP (MD) No.15138 of 2022

IN

CRL A (MD) No.838 of 2022

Date :05/12/2022

sj
SA/VR/SAR. /07.12.2022/3P/5C