



CrI.A.No.724 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2023

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.A.No.724 of 2016

M.Gopalakrishnan

... Appellants/A1

Vs.

State by,
The Deputy Superintendent of Police,
CBI/ACB/Chennai.
RC No.4/E/1996/BLR
RC No.1/E/1997/BLR

... Respondent

PRAYER: The Criminal Appeal is filed under Section 374(2) of Cr.P.C., to set aside the conviction and sentence imposed by the learned Principal Special Judge for CBI cases, VIII Additional City Civil Court, Chennai in C.C.No.29 of 1999 dated 29.09.2016.

For Appellant : Mr.Nagaraj

For Respondent : Mr.K.Srinivasan,
Special Public Prosecutor for CBI Cases



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JUDGMENT

The first accused in RC.4(E)/96/BLR and RC 1(E)/97/BLR for the offences punishable under Sections 120-B IPC read with 420 IPC and 13(2) read with 13(1)(c) and (d) of Prevention of Corruption Act, 1988, has come up with the present Criminal Appeal challenging the judgment rendered by the Principal Special Judge for CBI Cases, VIII Additional City Civil Court, Chennai, in C.C.No.29 of 1999 dated 29.09.2016 convicting him for the offence under Section 13(2) read with 13(1) (d) of the Prevention of Corruption Act, 1988 and sentencing to undergo imprisonment for one year and also to pay a fine of Rs.10,000/-, in default to undergo simple imprisonment for three months.

2. Today, when the appeal is taken up for hearing, Mr.K.Srinivasan, learned Special Public Prosecutor for CBI Cases, appearing for the respondent brought to the notice of this Court that the appellant, who is A1 is the former CMD, Indian Bank, Madras, was also convicted in yet another case in C.C.No.55 of 2000 by the Principal Special Judge for the CBI Cases,



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Chennai, and against such conviction and sentence, Criminal Appeal No.732 of 2013 has been filed before this Court, however when the said appeal was listed for hearing on 25.03.2022, it was reported by his legal heirs that the appellant was no more and they were not interested in pursuing the appeal and in view of the said submission, the appeal has been dismissed as abated.

3. At this stage, learned counsel for the appellant submitted that the legal heirs of the deceased appellant are not interested in pursuing the present appeal also.

4. In view of the above submission and the charges levelled against the appellant/A1 got abated, the criminal appeal stands dismissed as abated.

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To
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1. The Principal Special Judge for CBI Cases,
VIII Additional City Civil Court,
Chennai -104.
2. The Deputy Superintendent of Police,
CBI, BS & FC., Bangalore.
3. The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA,J.

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