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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.08.2023

CORAM :

THE HONOURABLE Dr. JUSTICE **G.JAYACHANDRAN**

Crl.M.P.No.11092 of 2023
in Crl.A.No.800 of 2023

N.Srinivasan

.. Petitioner

Vs.

State: rep by
Inspector of Police,
SPE/CBI/ACB, Chennai.
R.C.MA 1 2015 A 0036

..Respondent

PRAYER : Criminal Original Petition has been filed under section 389(1) of Criminal Procedure Code to suspend the sentence imposed in C.C.No.36 of 2015 dated 12.07.2023 by the learned XII Additional Special Judge for CBI Cases, FAC of XIV Additional Special Court for CBI Cases, City Civil Court, Chennai-104 and enlarge the petitioner/appellant on bail pending disposal of the above criminal appeal

For Petitioner : Mr.A.V.Somasundaram, Sr.Counsel
for M/s.S.Uma Nachiar

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor (CBI)

ORDER

This Criminal Original Petition is filed for suspension of sentence imposed in C.C.No.36 of 2015 vide Judgment dated 12.07.2023 by the learned XII Additional Special Judge for CBI Cases, FAC of XIV



Additional Special Court for CBI Cases, City Civil Court, Chennai.

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2. The petitioner herein faced trial for the charges under Section 7 and 13(2) r/w.13(1)(d) of Prevention of Corruption Act. The trial Court satisfied the evidence let in by the prosecution sentenced the petitioner/accused to undergo 3 years R.I., and fine of Rs.10,000/-, in default to undergo Simple Imprisonment for 3 months for the offence under Section 7 of P.C.Act and 4 years R.I., and fine of Rs.10,000/-, in default to undergo Simple Imprisonment for 3 months for the offence under Section 13(2) r/w.13(1)(d) of P.C.Act. The petitioner/accused has paid the fine amount on 12.07.2023 vide receipt No.145105.

3. The learned counsel appearing for the petitioner/accused submitted that the petitioner, few weeks prior to the judgment, the accused was hospitalized for Coronary Artery disease and had undergone procedure PTCA-stenting to LCX and got discharged on 29.06.2023. Since he needs continuous medical care and advised to avoid strenuous activity, seeks suspension of sentence. The petitioner undertakes to abide by any condition imposed by the Court.

4. Heard the submission made by the learned counsel for the petitioner/appellant as well as the learned Special Public Prosecutor.



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Considering the submission and taking note of the medical condition, the petition for suspension of sentence is ordered and the petitioner is directed to be enlarged on bail on condition that the petitioner shall execute a bond for a sum of Rs.1,00,000/- [Rupees One lakh only] with two sureties each for a like sum to the satisfaction of the learned XII Additional Sessions Judge for CBI Cases, FAC of XIV Additional Special Court for CBI Cases, City Civil Court, Chennai-104 and on further condition that the petitioner shall appear before the said Court on the first working day of every English Calendar Month at 10.30 a.m. until further orders.

04.08.2023

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To

1. The XII Additional Sessions Judge for CBI Cases, FAC of XIV Additional Special Court for CBI Cases, City Civil Court, Chennai-104.
2. The Inspector of Police,
SPE/CBI/ACB, Chennai.
3. The Superintendent, Central Prison, Puzhal, Chennai.

Dr.G.JAYACHANDRAN,J.

rpl



4. The Public Prosecutor (CBI)
High Court of Madras, Chennai.

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