



WEB COPY



Crl.MP. Nos.14724 & 14727 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.09.2023

CORAM :

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

Crl.M.P.Nos.14724 & 14727 of 2023

and

Crl.A. Nos.1008 & 1009 of 2023

K.E.Sampath

.. Petitioner/A2 in Crl.M.P. No.14724 of 2023

J.Loganathan

.. Petitioner/A1 in Crl.M.P. No.14727 of 2023

Vs.

State represented by:

Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Chennai.

..Respondent in both Crl.MPs.

COMMON PRAYER : Criminal Miscellaneous Petitions have been filed under section 389(1) of Criminal Procedure Code to suspend the execution of sentence of imprisonment imposed on them by the learned Special Judge for Vigilance and Anti Corruption (Chief Judicial Magistrate), Chengalpattu made in Special Case No.18 of 2012 dated 31.08.2023 till the disposal of the appeal and enlarge the petitioners/accused on bail pending criminal appeal.

For Petitioners : Mr.R.Vijayakumar
for Mr.S.Ashok Kumar
in Crl.MP. No.1008 of 2023
Mr.R.Vijayakumar
in Crl.Mp. No.1009 of 2023

For Respondent : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)



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COMMON ORDER

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The petitioners/A1 & A2 herein were found guilty by the learned Special Judge cum Chief Judicial Magistrate, Chengalpattu for A1 offences under Sections 7(1) and 13(2) r/w 13(1) (d) of the Prevention of Corruption Act, 1988 and for A2 offences under Sections 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988 and 109 IPC.

2. They have been convicted and sentenced vide impugned judgment dated 31.08.2023, as below:-

<i>Rank of the accused</i>	<i>Conviction under section</i>	<i>Sentence Awarded</i>
A1	7(1) of the Prevention of Corruption Act, 1988	To undergo One year Simple imprisonment and to pay a fine of Rs.10,000/- in default to undergo 6 months Simple Imprisonment.
A1	13(2) r/w 13(1) (d) of the Prevention of Corruption Act, 1988	To undergo One year Simple imprisonment and to pay a fine of Rs.10,000/- in default to undergo 6 months Simple Imprisonment.
A2	13(2) r/w 13(1) (d) of the Prevention of Corruption Act, 1988 & 109 IPC	To undergo One year Simple imprisonment and to pay a fine of Rs.10,000/- in default to undergo 6 months Simple Imprisonment.

The Trial Court ordered the period of sentences to run



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concurrently. Total fine amount of Rs.20,000/- for A1 and Rs.10,000/- for A2 has already been paid by the petitioners.

3. Considering the grounds of appeals which require detail examination, the sentence suspended till the disposal of the appeals and the petitioners are directed to be enlarged on bail on condition that the petitioners 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 Special Judge cum Chief Judicial Magistrate, Chengalpattu and on further condition that the petitioners shall appear before the trial Court on the first working day of every English Calendar Month at 10.30 a.m. until further orders.

15.09.2023

rkp

To

1. The Special Judge cum Chief Judicial Magistrate,
Chengalpattu.
2. Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Chennai.
3. The Public Prosecutor,
High Court of Madras, Chennai.



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Dr.G.JAYACHANDRAN,J.

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(2/2)

15.09.2023