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Crl.M.P.No.18168 of 2023
in Crl.A.No.763 of 2023

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Dr.G.JAYACHANDRAN,J.

The petitioner, a public servant convicted by the trial Court for offence under Section 7 and 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988 and sentenced to undergo 4 years R.I., and pay a fine of Rs.20,000/-, in default 3 months S.I.

2. Aggrieved by the conviction, the petitioner has preferred appeal before this Court in Crl.A.No.763 of 2023 and the same is pending. The bail petition filed by him was dismissed by this Court on 03.08.2023 taking into consideration the gravity of the offence. However, liberty was given to the petitioner to move the bail petition after six months, if the appeal is not taken up for final hearing. In the said circumstances, before expiry of 6 months period, the petitioner has moved the petition for suspension of sentence on the ground that his son is mentally retarded and need medical care.

3. The learned Government Advocate (Crl.Side) was requested to verify



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the health condition of the petitioner's son and it is reported that the son of the petitioner suffers some mental disability ever from his birth and his present age is 26 years. The medical report indicates that he suffers 50% intellectual disability since his birth. This may not be the reason for this Court to consider the bail petition.

4. The learned counsel for the petitioner states that if the interim suspension of sentence for a period of 3 months is granted, he can make some arrangement for his son's care.

5. Taking note of the said facts and submissions, interim bail for a period of 90 days granted 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 Chief Judicial Magistrate, Thiruvallur. The petitioner shall surrender before the trial Court on 90th day from the date of his release from prison.

19.12.2023

Dr.G.JAYACHANDRAN,J.

rpl



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