



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

Monday, the Twenty Seventh day of February Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.3311 of 2023

IN

CRL A(MD) No.150 of 2023

S.KALYANASUNDARAM

... PETITIONER/APPELLANT

Vs

THE STATE REP BY,
THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION P.S,
THANJAVUR,
THANJAVUR DISTRICT
(CRIME NO.13 OF 2023)

... 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.02 of 2014 on the file of the learned Chief Judicial Magistrate, Thanjavur at Kumbakonam, Thanjavur District by judgment dated 20.02.2023 pending disposal of the main Criminal Appeal.

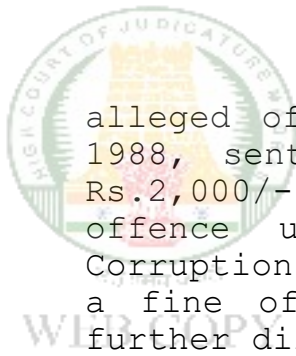
CRL A(MD)No.150 of 2023:

To call for the records in Special Case No. 02 of 2014 on the file of the Learned Chief Judicial Magistrate, Thanjavur at Kumbakonam, Thanjavur District and Set aside the Judgment dated 20.02.2023 and Acquit the accused/appellant of the charges.

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.ILAYARAJA.R, Advocate for the petitioner and of MR.S.RAVI, Additional Public Prosecutor on behalf of the Respondent, while admitting the Criminal Appeal, the court made the following order:-

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Chief Judicial Magistrate, Thanjavur at Kumbakonam, Thanjavur District, dated 20.02.2023 in Spl. Case No.02 of 2014 and enlarge the petitioner on bail, pending disposal of the above said Criminal Appeal.

2.The learned counsel for the petitioner submitted that the petitioner has been convicted by the learned Chief Judicial Magistrate, Thanjavur at Kumbakonam, Thanjavur District, for the



alleged offence under Section 7 of Prevention of Corrupt, 1988, sentenced to undergo 2 years R.I., and to pay a fine of Rs.2,000/- in default to undergo 3 months S.I.; and for the alleged offence under Section 13(2) r/w. 13(1)(d) of Prevention of Corruption Act, 1988, sentenced to undergo 2 years R.I., and to pay a fine of Rs.2,000/- in default to undergo 3 months S.I., and further directing the sentences to run concurrently.

3.It is submitted by the learned counsel for the petitioner that the sentence was already suspended by the trial Court till 17.03.2023.

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 Chief Judicial Magistrate, Thanjavur at Kumbakonam, Thanjavur District, 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/-

27/02/2023

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2702/2023

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

INDU

TO

1 THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR AT KUMBAKONAM, THANJAVUR DISTRICT.

2 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION P.S.,
THANJAVUR, THANJAVUR DISTRICT

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

+1 CC to M/s.R.ILAYARAJA, Advocate (SR-2951[I] dated 27/02/2023)

ORDER

IN

CRL MP(MD) No.3311 of 2023

IN

CRL A(MD) No.150 of 2023

Date :27/02/2023