



CRL MP(MD) No.10188 of 2023

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

Friday, the Twenty Eighth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice DR.D.NAGARJUN

CRL MP(MD) No.10188 of 2023

IN

CRL A(MD) No.555 of 2023

S.SURESHKUMAR

... APPELLANT/SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
VIGILANCE AND ANCIT-CORRUPTION WING,
THIRUCHIRAPPALLI DISTRICT.
CRIME NO.27 OF 2010.

... RESPONDENT/COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Suspend the Sentence of Imprisonment passed in Spl.CC.No.11 of 2014 on the file of the Learned the Special Judge for Prevention of Corruption/Chief Judicial Magistrate,Karur dt.30.6.2023 and enlarge the Petitioner on bail.

PRAYER IN CRL.A(MD).555/2023:

Pleased to call for records and set aside the conviction and sentence passed in Spl.C.C.No.11 of 2014 on the file of the Learned the Special Judge for Prevention of Corruption/Chief Judicial Magistrate, Karur dated 30.06.2023.

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.MUTHUKAMATCHI V, Advocate for the petitioner and of Mr.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

<https://www.mhc.tn.gov.in/judis>



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This Criminal Appeal is filed challenging the Judgment of the trial Court dated 30th June 2023, in Spl.C.C.No.11 of 2014, on the file of the Special Court for Prevention of Corruption / Chief Judicial Magistrate, Karur, wherein, the learned trial Judge has found the petitioner guilty of the offence under Sections 7 and 13 (2) r/w Section 13 (1) (d), of the Prevention of Corruption Act and sentenced to undergo two years rigorous imprisonment and to pay of Rs.10,000/- in default to pay the fine to undergo further six months rigorous imprisonment and convicted under Section 13 (2) r/w 13 (1) (d) of the Prevention of Corruption Act and sentenced to undergo three years rigorous imprisonment and to pay fine of Rs.10,000/- in default to pay the fine to undergo further one year rigorous imprisonment.

2. Heard learned counsel for the petitioner and perused the materials on record and perused the translated copy, which is filed before this Court.

3. It is submitted by the learned counsel for the petitioner that PW.1 stated to have deposed before the trial Court that though he has not satisfied the grounds for issuance of sanction order for initiating prosecution against the petitioner / appellant, after getting an advice from the previous Officer, he has stated to have given sanction order.

4. It is further submitted by learned counsel for the petitioner that the trial



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Court soon after recording of conviction and awarding sentence granted bail to the petitioner until today vide Crl.M.P.No.4581 of 2023, dated 30.06.2023. The petitioner stated to have deposited fine amount of Rs.20,000/-.

5. Considering the circumstances, the sentence in Spl.C.C.No.11 of 2014, dated 30th June 2023, before the learned Special Judge for Prevention of Corruption / Chief Judicial Magistrate, Karur, is hereby, suspended on the following conditions:-

(i) The petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned Special Judge for Prevention of Corruption / Chief Judicial Magistrate, Karur.

(ii) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and

(iii) The petitioner shall appear before the respondent police daily at 10.30 a.m and 5.30 p.m. until further orders.

sd/-
28/07/2023

/ TRUE COPY /

28/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE CHIEF JUDICIAL MAGISTRATE
SPECIAL JUDGE FOR PREVENTION OF CORRUPTION,
KARUR.

2 THE INSPECTOR OF POLICE
VIGILANCE AND ANCIT-CORRUPTION WING,
THIRUCHIRAPPALLI DISTRICT.

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

+1. C.C. to M/S.MUTHUKAMATCHI V Advocate SR.No.11416

ORDER

IN

CRL MP(MD) No.10188 of 2023

IN

CRL A(MD) No.555 of 2023

Date :28/07/2023

SA/SAR. /28.07.2023/4P/5C

Madurai Bench of Madras High Court is issuing certified
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