



CRL MP(MD) No.12089 of 2023

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

Friday, the Fifteenth day of September Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

CRL MP(MD) No.12089 of 2023

IN

CRL A(MD) No.751 of 2023

1 R.MAHALINGAM

2 R.THIRUPPATHI

3 THANGARAJAN

4 R.VADAMALAI

... PETITIONERS/ APPELLANTS

Vs

THE DEPUTY SUPERINTENDENT OF POLICE,

CBI, SCB CHENNAI,

CRIME NO. RC9(S)/2010/CBI/SCB/CHN) ... RESPONDENT/RESPONDENT

Criminal Miscellaneous 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 imposed against the petitioners/ Appellants by the Honble II Additional District and Sessions Judge (CBI Cases), Madurai dated 12.06.2023 in C.C No. 7 of 2012 and enlarge the petitioner's on bail pending disposal of the above Criminal Appeal.

PRAYER IN CRL.A(MD).751/2023:

Pleased to call for the records relating to the judgment in C.C.No.7 of 2012 dated 12.06.2023 on the file of the II Additional District Court (CBI Cases) Madurai and to set aside the same and allow this Criminal Appeal.



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Order : This Criminal Miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.UDHAYAKUMAR.R, Advocate for the petitioners and of Mr.N.MOHIDEEN BASHA, Special Public Prosecutor on behalf of the Respondent, the court made the following order:-

This petition is listed to under the caption for reporting compliance.

2. This Criminal Miscellaneous Petition has been filed to suspend the sentence passed in C.C.No.7 of 2012, dated 12.06.2023, on the file of the II Additional District Judge (CBI Cases), Madurai District and enlarge the petitioners on bail till the disposal of this Criminal Appeal.

3. On 22.08.2023, this Court has suspended the sentence imposed on the petitioners with the following conditions:

(i) Each petitioner shall deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs Only) to the credit of C.C.No.7 of 2012 on the file of the learned II Additional District Judge (CBI Cases), Madurai District, within a period of four weeks from today, failing which the sentence suspended shall automatically dismissed and the respondent is at liberty to execute



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the sentence imposed by the trial Court against the petitioner in the manner known to law;

(ii) On such deposit, the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned II Additional District Judge, (CBI Cases), Madurai District:

(iii) 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 of Bank Pass Book to ensure their identity; and

(iv) The petitioner shall appear before the trial Court once in a month ie., on the first working day of every English calendar month at 10.30 a.m., until further orders.

4. Today when the matter was taken up for hearing, the learned Special Public Prosecutor, on instructions, submitted that the petitioner Nos.1, 3 and 4 have complied with the conditions imposed by this Court. However, the second petitioner



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has not complied the condition No.i.

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5. Though the petitioner Nos.1, 3 and 4 have complied with the conditions imposed by this Court, the second petitioner has not complied with the condition No.i. Since the second petitioner has not complied with the condition No.i, imposed on him, this petition stands dismissed in respect of the second petitioner alone.

sd/-
15/09/2023

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/01/2024
Sub-Assistant Registrar (C.S- I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

sbn

TO

1 THE II ADDITIONAL DISTRICT AND
SESSIONS JUDGE, (CBI CASES), MADURAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3 THE DEPUTY SUPERINTENDENT OF POLICE,
CBI, SCB CHENNAI.

4 THE SPECIAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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ORDER
IN
CRL MP(MD) No.12089 of 2023
IN CRL A(MD) No.751 of 2023
Date :15/09/2023

RK/VR(30/01/2024) 5P / 5C

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