



CRL MP(MD) No.12111 of 2023

WEB COPY

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

Tuesday, the Twenty Second day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble DR.Justice D.NAGARJUN

CRL MP(MD) No.12111 of 2023

IN

CRL A(MD) No.618 of 2023

R.SIVAPUNNIYAM

... PETITIONER/ APPELLANT/ APPELLANT/ A-1

Vs

State Rep.by

THE INSPECTOR OF POLICE

VIGILANCE AND ANTI CORRUPTION WING,

TIRUCHIRAPPALLI DISTRICT.

CRIME NO.12 OF 2008.

... RESPONDENT/RESPONDENT/RESPONDENTCOMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to relax the condition imposed on the petitioner in Crl.M.P.(MD).No.10827 of 2023 in Crl.A(MD).No.618 of 2023 dated 02.08.2023.

PRAYER IN CRL A(MD).618/2023 :

To call for the records and set aside the conviction and sentence passed in Spl. Case No.39 of 2011 dated 06.07.2023 by the learned Special Court for trial of Prevention of Corruption Act Cases, Tiruchirappalli.

PRAYER IN CRL.MP(MD).10827/2023:

Pleased to Suspend the sentence imposed in Spl.Case No.39 of 2011 by the Special Court for trial of Prevention Of Corruption Act Cases,Tiruchirappalli dt.6.7.2023 and enlarge the Petitioner on bail pending disposal of the main Criminal

Appeal.

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



CRL MP(MD) No.12111 of 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 on behalf of the Respondents the court made the following order:-

This petition is filed seeking relaxation of the condition imposed by this Court while passing the order in CrI.M.P(MD).No.10827 of 2023 in CrI.A.(MD).No.618 of 2023 dated 02.08.2023, wherein, the petitioner was directed to appear every day before the respondent Police.

2. The condition imposed by this Court on 02.08.2023 runs as follows:-

(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 trial of cases under Prevention of Corruption Act, Trichirappalli.

(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.

3. Now, it is submitted by the learned counsel appearing for the petitioner



CRL MP(MD) No.12111 of 2023

that the petitioner is a senior citizen and he has to travel about 140 kms in order to comply with the condition imposed by this Court and thereby, he sought for relaxation.

4. The learned Additional Public Prosecutor appearing for the official respondent, on the other hand, submits that he has appeared only for 12 days and subsequently, he has not appeared.

5. Considering the submission made by both sides, this petition is allowed in part directing the petitioner to appear before the learned Special Judge for trial of Prevention of Corruption Act Cases, Tiruchirappalli on the first working day of every month between 10.00 a.m., to 05.00 p.m., until the disposal of the appeal.

sd/-
22/08/2023

/ TRUE COPY /

/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB
TO

1 THE JUDGE,
SPECIAL COURT FOR TRIAL OF PREVENTION OF CORRUPTION ACT CASES,
TIRUCHIRAPALLI.

2 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION WING,
TIRUCHIRAPPALLI DISTRICT.



CRL MP(MD) No.12111 of 2023

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

+1 CC to M/s.V.MUTHU KAMATCHI, Advocate (SR-12638[I] dated 23/08/2023)

ORDER
IN
CRL MP(MD) No.12111 of 2023
IN
CRL A(MD) No.618 of 2023
Date :22/08/2023

SA/VR/SAR. /25.08.2023/4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.