



CRL MP(MD) No.15625 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Tuesday, the Seventh day of November Two Thousand and Twenty Three
PRESENT
The Hon`ble Mr.Justice G.ILANGO VAN
CRL MP(MD) No.15625 of 2023
in
CRL A(MD) No.986 of 2023

S.CHANDREYA

... Appellant / Sole Accused

Vs

1 THE INSPECTOR OF POLICE
VIGILANCE AND ANTI-CORRUPTION WING,
THOOTHUKUDI DISTRICT.
(CRIME NO.3/2010).

... Respondent / Complainant

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 execution of sentence by granting bail in Special Case No.5/2011 dated 11/10/2023 on the file of the Learned Special Judge / Chief Judicial Magistrate, Thoothukudi, Thoothukudi District till the disposal of the criminal appeal.

Prayer in CRL A(MD) No.986 of 2023:

To admit this appeal on file, to call for the records from the lower court in Special Case No.5 of 2011 on the file of Special Court and Chief Judicial Magistrate Court, Thoothukudi, Thoothukudi District and set aside the judgment dated 11.10.2023 by acquitting the accused and by allowing the appeal.

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.S.SENTHIL SANKARA NATHA KUMAR, Advocate for the petitioner and of Mr.B.NAMBISELVAN, Additional Public Prosecutor on behalf of the Respondent, while admitting the criminal appeal, the court made the following order:-



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This Criminal Miscellaneous Petition is filed to suspend the sentence imposed on the petitioner by the learned Special Judge/Chief Judicial Magistrate, Thoothukkudi, Thoothukkudi District in Special Case No.5 of 2011 dated 11.10.2023 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 trial judge,as follows :

S.No.	Offence	Sentence	Fine	In default sentence
1.	Section 7 of the Prevention of Corruption Act, 1988	2 years rigorous imprisonment	Rs.20,000/-	Two months simple imprisonment
2.	Section 13(2) r/w 13(1) (d) of the Prevention of Corruption Act, 1988	2 years rigorous imprisonment	Rs.20,000/-	two months simple imprisonment

Challenging the above said conviction and sentence, the petitioner has preferred the present Criminal Appeal along with the above Miscellaneous Petition seeking suspension of sentence.

3. It is submitted by the learned counsel for the petitioner that the sentence was already suspended by the trial Court till 10.11.2023.



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4. Heard the learned Additional Public Prosecutor appearing for the
respondent police.

5. 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 Special Judge/Chief Judicial Magistrate, Thoothukkudi, Thoothukkudi District.

sd/-
07/11/2023

/ TRUE COPY /

09/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

To

1.The Special Judge / Chief Judicial Magistrate,
Thoothukudi, Thoothukudi District.



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2.The Inspector of Police,
Vigilance and Anti-Corruption Wing,
Thoothukudi Detachment.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Section Officer,
Criminal Section (Records),
Madurai Bench of Madras High Court, Madurai. (Call for records)

+1 CC to M/s.S.SENTHIL SANKARANATHA KUMAR, Advocate (SR-16033[I] dated
08/11/2023)

ORDER
IN
CRL MP(MD) No.15625 of 2023
in
CRL A(MD) No.986 of 2023
Date :07/11/2023

ED/ /SAR- (09/11/2023) 4P / 6C

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