



CRL MP(MD) No.15743 of 2023

WEB COPY

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

Wednesday, the Eighth day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.15743 of 2023

in

CRL A(MD) No.992 of 2023

G.THIRUNAGUR

... Petitioner / Appellant

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
VIGILANCE AND ANTI CORRUPTION WING ,
SIVAGANGAI,
SIVAGANGAI DISTRICT
(CRIME NO.5/2011)

... 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 enlarge the petitioner on bail by Suspending the Sentence imposed upon him in Special CC No.78/2014 on the file of the Learned Special Judge for Trial of Cases under the prevention of Corruption Act Sivagangai by judgment dt 30.10.2023 pending disposal of the main criminal appeal.

Prayer in CRL A(MD) No.992 of 2023:

To call for the records in Special C.C.No.78 of 2014 on the file of the Learned Special Judge for Trial of Cases under the Prevention of Corruption Act, Sivagangai, and Set Aside the judgment dated 30.10.2023 and acquit the Accused / Appellant.



CRL MP(MD) No.15743 of 2023

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.MAYILVAHANA RAJENDRAN C, 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:-

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Special Judge for Trial of Cases under the Prevention of Corruption Act, Sivagangai, dated 30.10.2023 in Special.C.C.No.78 of 2014 and enlarge the petitioners on bail, pending disposal of the above said Criminal Appeal.

2.The learned counsel for the petitioner submitted that the petitioner was convicted by the learned Special Judge for Trial of Cases under the Prevention of Corruption Act, Sivagangai, for the alleged offence under Section 7 of Prevention of Corruption Act, 1988 and sentenced to undergo 3 years R.I and to pay a fine of Rs.5,000/- in default to undergo 3 months S.I; under Section 13(2) r/w. 13(1)(d) of Prevention of Corruption Act, 1988 and sentenced to undergo 3 years R.I, and to pay a fine of Rs.5,000/- in default to undergo 3 months S.I.

3.It is submitted by the learned counsel for the petitioner that the sentence was already suspended by the trial Court up to 28.11.2023.

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



CRL MP(MD) No.15743 of 2023

WEB COPY

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 the learned Special Judge for Trial of Cases under the Prevention of Corruption Act, Sivagangai, and on further condition that the petitioner shall appear before the said Court once in a week i.e., on every Monday at 10.30 a.m. pending appeal.

sd/-
08/11/2023

/ TRUE COPY /

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

TRP

To

1.The Special Judge for Trial of Cases under therein
Prevention of Corruption Act, Sivagangai.

2.The Inspector of Police,
Vigilance and Anti Corruption Wing,
Sivagangai, Sivagangai District.

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



CRL MP(MD) No.15743 of 2023

WILL COPY
Copy to:

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

+1CC to M/s.C.MAYILVAHANA RAJENDRAN, Advocate, SR.No.16086, dated
08.11.2023

ORDER
IN
CRL MP(MD) No.15743 of 2023
in
CRL A(MD) No.992 of 2023
Date :08/11/2023

ED/VRS/SAR- (10/11/2023) 4P / 7C

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