



Crl.A.No.165 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.A.No.165 of 2011

P.Pandian Sunderrajan

... Appellant

Vs.

State represented by,
The Inspector of Police,
SPE/CBI/ACB/Chennai.

... Respondent

PRAYER : Criminal Appeal filed under Section 374(2) of Criminal Procedure Code, pleased to allow the appeal and set aside the order of conviction of the second accused/appellant herein passed by the trial Court in C.C.No.28 of 2003 on the file of the learned Additional Special Judge for CBI Cases, IX Additional City Civil Court, Chennai - 104 dated 09.02.2011 and the appellant may be acquitted from the offence.

For Appellant : Mr.John Sathyan,
for Mr.K.C.Vimal Sarathy
For Respondent : Mr.K.Srinivasan
Special Public Prosecutor for CBI



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JUDGMENT

The appellant (A2), who was found guilty and convicted by the learned Additional Special Judge for CBI Cases, Chennai for the offences punishable under Section 120 B r/w 420 IPC, 420, 467 r/w 471 IPC and under Section 13(2) read with 13(1)(d) of Prevention of Corruption Act, 1988, in C.C.No.28 of 2003 vide judgment dated 09.02.2011, has filed the present Criminal Appeal.

2. The conviction and sentence imposed by the learned Additional Special Judge for CBI Cases, Chennai, against the appellant in C.C.No.28 of 2003 dated 09.02.2011 is as follows:-

<i>Under Section</i>	<i>Sentence</i>
120 B r/w 420 IPC,	two years of rigorous imprisonment and a fine of Rs.2,500/-, in default, to undergo three months rigorous imprisonment.
420 IPC	two years of rigorous imprisonment and a fine of Rs.2,500/-, in default, to undergo three months rigorous imprisonment.
467 r/w 471 IPC	two years of rigorous imprisonment and a fine of Rs.2,500/-, in default, to undergo three months rigorous imprisonment.



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<i>Under Section</i>	<i>Sentence</i>
13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988	two years of rigorous imprisonment and a fine of Rs.2,500/-, in default, to undergo three months rigorous imprisonment.
The sentences shall run concurrently	

3. It is submitted by the learned counsel for the appellant that the appellant (A2) herein has passed away on 23.01.2023. He further submitted that the wife of the appellant has predeceased and thereby, there is nobody to pursue the appeal. The learned counsel for the appellant has also filed a Memo along with the Appellant's Death Certificate before this Court.

4. Recording the submissions made by the learned counsel for the appellant and taking note of the Memo filed by the appellant's counsel, this Criminal Appeal stands closed as abated. The Memo filed by the learned counsel for the appellant shall form part of the record.

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Index : Yes / No
Speaking / Non-speaking
Neutral Citation : Yes / No
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A.D.JAGADISH CHANDIRA, J.

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To

1. The Additional Special Judge for CBI Cases,
IX Additional City Civil Court, Chennai - 104.
2. The Inspector of Police,
SPE/CBI/ACB/Chennai.
3. The Public Prosecutor,
High Court of Madras.

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