



Crl.M.P.No.4855 of 2024  
in Crl.A.No.315 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

**Crl.M.P.No.4855 of 2024**  
**in Crl.A.No.315 of 2024**

G.Ramakrishnan

... Petitioner/Appellant

Vs.

The State represented by,  
The Inspector of Police,  
Vigilance and Anti-Corruption,  
Nagapattinam.

(Crime No.05 of 2013)

... Respondent

**PRAYER:** Criminal Miscellaneous Petition filed under Section 389(1) of Cr.P.C., prayed to suspend the sentence of imprisonment passed vide judgment dated 27.02.2024 in Special C.C.No.03 of 2015 on the file of the learned Chief Judicial Magistrate at Thiruvarur and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

For Petitioner : Mr.T.K.S.Gandhi

For Respondent : Mr.S.Santhosh  
Government Advocate (Crl.Side)



Crl.M.P.No.4855 of 2024  
in Crl.A.No.415 of 2024

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### **ORDER**

This Criminal Miscellaneous Petition has been filed by the petitioner/appellant, seeking suspension of sentence, imposed by the learned learned Chief Judicial Magistrate, Thiruvarur, vide judgment in Special Calendar Case No.03 of 2015 dated 27.02.2024.

2. The conviction and sentence imposed against the petitioner/appellant is as follows:-

| <i><b>Charges</b></i>                                                 | <i><b>Punishment</b></i>                                                                                           |
|-----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| Section 7 of the Prevention of Corruption Act, 1988.                  | three years Simple Imprisonment and a fine of Rs.1,000/-, in default, to undergo three months Simple Imprisonment. |
| Section 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988. | two years Simple Imprisonment and a fine of Rs.1,000/-, in default, to undergo two months Simple Imprisonment.     |
| The Sentences shall run concurrently                                  |                                                                                                                    |

3. According to the learned counsel for the petitioner/appellant, there are arguable points available in the Criminal Appeal, which is not likely to be taken for final hearing in the near future and the petitioner/appellant has got a fair chance of succeeding in the Criminal Appeal and hence, the sentence imposed against the petitioner/appellant may be suspended and the



Crl.M.P.No.4855 of 2024  
in Crl.A.No.415 of 2024

petitioner/appellant may be enlarged on bail. He further submitted that the petitioner has deposited the fine amount before the Court concerned and further, the trial Court, while convicting the petitioner, has suspended the sentence till 26.03.2024.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the prosecution has proved the case beyond reasonable doubts and the trial Court, on finding that the petitioner/appellant guilty, convicted him as stated above. Therefore, he opposed for grant of suspension of sentence.

5. Heard the learned counsel for the petitioner/appellant and Government Advocate (Crl.Side) appearing for the respondent and perused the materials on record.

6. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel for the petitioner/appellant, this Court is of the view that the sentence of imprisonment can be suspended on certain conditions. Accordingly, till the



Crl.M.P.No.4855 of 2024  
in Crl.A.No.615 of 2024

disposal of the Criminal Appeal, suspension of sentence is granted, on the following conditions :-

(ii) The petitioner/appellant shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only), with two sureties, each for a like sum to the satisfaction of the learned Special Judge cum Chief Judicial Magistrate, Thiruvarur;

(ii) The petitioner/appellant shall appear before the trial Court on the first working day of every English Calendar month at 10.30 a.m., until further orders.

7. Accordingly, the Criminal Miscellaneous Petition stands ordered.

**19.03.2024**

*rpl*



Crl.M.P.No.4855 of 2024  
in Crl.A.No.615 of 2024

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To

1. The Special Judge cum Chief Judicial Magistrate, Thiruvarur.
2. The Inspector of Police,  
Vigilance and Anti-Corruption,  
Nagapattinam.
3. The Public Prosecutor,  
High Court of Madras,  
Chennai.



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Crl.M.P.No.4855 of 2024  
in Crl.A.No.315 of 2024

**A.D.JAGADISH CHANDIRA, J.**

rpl

**Crl.M.P.No.4855 of 2024**  
**in**  
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**19.03.2024**

**2/2**