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*Crl.M.P.No.7510 of 2024
in Crl.A.No.518 of 2024*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.05.2024

CORAM:

THE HON'BLE MR.JUSTICE **K. KUMARESH BABU**

Crl.M.P.No.7510 of 2024
in
Crl.A.No.518 of 2024

C.Vinayagam ... Petitioner

Vs.

The State rep.
The Inspector of Police,
Vigilance and Anti Corruption,
Kancheepuram
(Crime No.14/AC/2010) ... Respondent

PRAYER: Criminal Miscellaneous Petition has been filed under Section 374(2) of Cr.P.C to suspend the sentence on the petitioner in Special S.C.No.9 of 2012 passed by the Chief Judicial Magistrate, Chengalpet by a judgment dated 12.04.2024 and enlarge the petitioner on bail pending disposal of the criminal appeal.

For Petitioner : Mr.K.Balasubramaniam

For Respondent : Mr.L.Baskaran,



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Government Advocate (Crl. Side)

ORDER

The petitioner, who is the second accused in Spl.S.C.No.148 of 2019 and was convicted and sentenced to undergo one year simple imprisonment and a fine of rs.10,000/- in default to undergo one month of simple imprisonment for the offence under section 7 of Prevention of Corruption Act, 1988 and to undergo one year simple imprisonment and a fine of Rs.10,000/-, in default, to undergo one month of simple imprisonment for the offence under section 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988, has filed this suspension of sentence.

2. The learned counsel for the petitioner submitted that the petitioner has already paid the fine amount and as such, his sentence has been suspended by the trial court till 31.05.2024. Hence, he prayed for suspension of sentence.

3. Considering the said circumstances, the substantial sentence of



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imprisonment imposed on the petitioner is suspended till the disposal of the appeal and the petitioner is ordered to be enlarged on bail, on condition that he 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 Chief Judicial Magistrate, Chengalpet.

4. Further, the petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m. until the disposal of the appeal and if they are not able to appear before the Trial Court on that day, they shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the Trial Court on any other day in lieu of the date of his absence as directed by the Trial Court.

5. Accordingly, this Criminal Miscellaneous Petition is ordered.

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1. The Chief Judicial Magistrate, Chengalpet

2. The Public Prosecutor,
High Court, Madras.



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K. KUMARESH BABU, J.

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