



*Crl.M.P.No.7630 of 2024*

**Crl.M.P.No.7630 of 2024**  
**in Crl.A.No.569 of 2024**

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**K.KUMARESH BABU, J.**

This petition has been filed by the petitioner to suspend the sentence by granting bail in C.C.No.14 of 2013 dated 17.04.2024, on the file of the Special Court under TNPID Act (FAC), Chennai, till the disposal of the appeal.

2.The petitioner has been convicted by a judgment passed by the learned Special Judge, Special Court under TNPID Act (FAC), Chennai in C.C.No.14 of 2013 dated 17.04.2024 for the offence under Section 5 of the Tamil Nadu Protection of Interests of Depositors (In Financial Establishments) Act, 1997 and was sentenced to undergo three years rigorous imprisonment for 82 counts and to pay a fine of Rs.10,000/- for each count in default, to undergo six months simple imprisonment for each count.

3.The learned counsel appearing for the petitioner would contend that the trial Court has convicted the petitioner for the offence under Section 5 of the Tamil Nadu Protection of Interests of Depositors (In Financial Establishments) Act, 1997 and the same was challenged through this appeal. The trial Court is



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totally defective since the available evidences are not sufficient to warrant a conviction. The lower Court travelled beyond the scope of evidence and further the lower Court suspended the sentence in Crl.M.P.No.987 of 2024 dated 17.04.2024 for a period of one month till 17.05.2024. There are sufficient grounds to allow the appeal and thereby, the sentence imposed upon the petitioner to be suspended by way of granting bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would contend that already the trial Court found the petitioner guilty and convicted the petitioner for the offence under Section 5 of the Tamil Nadu Protection of Interests of Depositors (In Financial Establishments) Act, 1997. The offences are grave in nature and the petitioner may be directed to surrender before both the Court and thereafter this petition can be decided.

5.Considering the representations made by both side counsels and considering that already trial Court has suspended the sentence and granted bail till 17.05.2024 and the petitioner was all along on bail during trial and considering the sentence imposed upon the petitioner, this Court is inclined to grant suspension of sentence alone on the following conditions:



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(i)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 Special Court under TNPPID Act (FAC), Chennai.

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

**09.05.2024**

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