



Crl.M.P.No.7759 of 2024
in Crl.A.No.589 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.05.2024

CORAM

THE HON'BLE MR. JUSTICE R.SAKTHIVEL

Crl.M.P.No.7759 of 2024

in

Crl.A.No.589 of 2024

P.Saravanan
S/o.Paramasivam

...Petitioner

Vs.

State represented by
The Inspector of Police,
Vigilance & Anti-Corruption,
Kancheepuram.

...Respondent

Criminal Miscellaneous Petition filed under Section 389 (1) of the Code of Criminal Procedure, 1973 praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence imposed on the petitioner in Spl.S.C.No.8 of 2010, dated 22.04.2024, passed by the Special Judge/Chief Judicial Magistrate, Chengalpattu and enlarge the petitioner on bail pending disposal of the appeal.

Prayer in Crl.A.No.589 of 2024 :

Criminal Appeal filed under Section 374(2) of the Code of Criminal Procedure, 1973 r/w Section 27 of the Prevention of Corruption Act, 1988, against the judgment in Spl.S.C.No.8 of 2010, dated 22.04.2024, passed by the Special Judge/Chief Judicial Magistrate, Chengalpattu.



WEB COPY



Crl.M.P.No.7759 of 2024
in Crl.A.No.589 of 2024

For Petitioner : Mr.S.Gunasekar

For Respondent : Ms.S.Udayakumar
Government Advocate [Crl.side]

ORDER

The petitioner herein is the accused in Spl.S.C.No.8 of 2010 on the file of Special Judge/Chief Judicial Magistrate, Chengalpattu. The learned Special Judge/Chief Judicial Magistrate, Chengalpattu, convicted the petitioner for the offences punishable under Sections 7 and 13(1)(d) r/w 13(2) of the Prevention of Corruption Act, 1988 and sentenced him to undergo two years simple imprisonment and to pay a fine of Rs.10,000/- in default to undergo one month simple imprisonment for each of the offences and the sentences were directed to run concurrently.

2. The learned counsel appearing for the petitioner submitted that the Trial Court suspended the sentence till 31.05.2024. Accordingly, he prayed to suspend the sentence.



Crl.M.P.No.7759 of 2024
in Crl.A.No.589 of 2024

WEB COPY

3. Heard the learned Government Advocate (Criminal Side) appearing for the respondent State.

4. In view of the punishment imposed by the trial Court proviso to Section 389 (1) of Cr.P.C. will not apply in this case. Admittedly, the Trial Court suspended the sentence till 31.05.2024.

5. Considering the nature of offence allegedly committed by the petitioner, this Court is inclined to suspend the sentence and grant bail to the petitioner subject to the following conditions:

- (i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) and furnish two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Special Judge/Chief Judicial Magistrate, Chengalpattu;
- (ii) The petitioner shall appear and sign before the Trial Court on first working day of every month at 10.00 a.m. until further orders;



WEB COPY



Crl.M.P.No.7759 of 2024
in Crl.A.No.589 of 2024

R.SAKTHIVEL, J.
gm/gpa

Accordingly, this Criminal Miscellaneous Petition is allowed
subject to the conditions stated supra.

16.05.2024
(2/2)

gm/gpa

Note:

1.Registry is directed to forthwith upload this order in the official website of this Court.

2.All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

To

1.The Special Judge/Chief Judicial Magistrate,
Chengalpattu.

2.The Public Prosecutor,
High Court of Madras.

Crl.M.P.No.7759 of 2024
in Crl.A.No.589 of 2024