



Crl.M.P.No.14036 of 2024
in Crl.A.No.310 of 2023

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M. NIRMAL KUMAR, J.

This Criminal Miscellaneous Petition is filed seeking to extend the period of interim suspension of sentence passed in the conditional order dated 28.03.2023 imposed by this Court in Crl.M.P.No.4234 of 2023 in Crl.A.No.310 of 2023 until the disposal of main appeal.

2.The petitioner/A5 in C.C.No.4 of 2015 was convicted by the trial Court by judgment dated 06.03.2023. In this case, the defaulted amount is around Rs.74,00,000/- and the persons, who have been cheated are 46 depositors. As per the Lower Court order, there are 7 accused and each accused were directed to pay fine amount of Rs.12,60,000/-. Aggrieved against the conviction, the petitioner preferred an appeal before this Court in C.A.No.310 of 2023 along with suspension of sentence in Crl.M.P.No.4234 of 2023. This Court, by order dated 28.03.2023, granted interim bail for a period of three months with certain conditions. One of the conditions is that the petitioner to pay 20% of the fine amount imposed by the trial Court



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within a period of one month from the date of release. Thereafter, Crl.M.P.No.4234 of 2023 listed for clarification on 05.04.2023 and this Court clarified that petitioner to settle the dues to the depositors within a period of one month from the date of his release. Thereafter, the petitioner filed Crl.M.P.No.5928 of 2024 seeking to extend the period of suspension of sentence passed in the conditional order dated 28.03.2023. This Court, by order dated 04.04.2024, taking into consideration the petitioner's plea, directed the petitioner to deposit remaining 80% of fine amount within a period of four weeks from the date of receipt of a copy of that order.

3.The learned counsel for petitioner submitted that petitioner earlier deposited 20% of the fine amount, i.e., Rs.2,52,000/- (Rs.12,60,000/-) on 27.04.2023 before the trial Court. Pursuant to the order passed by this Court on 04.04.2024, the petitioner deposited balance 80% of the fine amount, i.e., Rs.10,08,000/- (Rupees Ten Lakhs Eight Thousand only) on 23.04.2024 before the trial Court. In view of the above, the petitioner had deposited the entire fine amount of Rs.12,60,000/-. Hence, he filed the present petition seeking extension of interim bail till the disposal of the main appeal.



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4.The learned Government Advocate (Crl. Side) confirmed that petitioner deposited 20% of the fine amount on 27.04.2023 and 80% of fine amount on 23.04.2024.

5.The learned counsel for petitioner also produced the copy of deposit Receipt bearing No.708251 dated 23.04.2024 confirming the same.

6.In view of the same, the interim suspension of sentence and bail granted to the petitioner by this Court in Crl.M.P.No.4234 of 2023 in Crl.A.No.310 of 2023 dated 28.03.2023 is converted as regular bail with the earlier condition of sureties and execution of bond which the petitioner already executed, with the same terms the interim bail is extended as regular bail till the disposal of the above appeal. The petitioner shall appear before the Trial Court once in three months at 10.30 a.m. on the first working day of the month, until the disposal of the criminal appeal and if he is not able to appear before the Trial Court on that day, he 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.



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M. NIRMAL KUMAR, J.

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7. Accordingly, this Criminal Miscellaneous Petition is ordered.

17.10.2024

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To

1. The Special Judge,
Special Court under Tamil Nadu Protection of
Interests of Depositors Act Cases, Coimbatore.
2. The Inspector of Police,
Economic Offences Wing-II,
Namakkal.
3. The Public Prosecutor,
High Court, Madras.

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