



WEB COPY



Crl. M.P.No.12351 of 2024
in Crl.A.No.1109 of 2024

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N.SESHASAYEE, J.

The Petitioner/appellant herein was convicted for the offences under Sections 7 and 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988 and sentenced him to undergo four (4) years of Rigorous Imprisonment and to pay a fine of Rs.10,000/- in default to undergo six (6) months Simple Imprisonment for the offence under Section 7 of the Prevention of Corruption Act, 1988, and to undergo four (4) years of Rigorous Imprisonment and to pay a fine of Rs.10,000/- in default to undergo six (6) months Simple Imprisonment for offence U/s.13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988, by the learned Special Judge/Chief Judicial Magistrate, Tiruvallur, under judgment in Special Case No.5 of 2015 dated 19.08.2024. Hence, the petitioner seeks suspension of sentence.

2. The learned counsel for petitioner/appellant submits that the petitioner is in prison now. The learned counsel further submits that there are several infirmities and inconsistencies found in the prosecution case and



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there are contradictions in the material particulars between the evidence of the prosecution witnesses.

3. Heard Mr.C.E.Pratap, learned Government Advocate (Crl. Side) for the respondent. The learned counsel vehemently opposed it.

4. Considering the facts and circumstances of the case and in view of the fact that there are several infirmities in the prosecution case and there are arguable points involved in the appeal, as contended by the learned counsel for petitioner/appellant and that the appeal is not likely to be taken up for final hearing in the near future, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

5. The substantive sentence of imprisonment alone is suspended accordingly, and the petitioner is directed to be enlarged on bail on condition that 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



Crl. M.P.No.12351 of 2024
in Crl.A.No.1109 of 2024

satisfaction of the learned Special Judge/Chief Judicial Magistrate, Tiruvallur, and on further condition that the petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m. till further orders.

14.10.2024
(2/2)

N.SESHASAYEE, J.



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Crl. M.P.No.12351 of 2024
in Crl.A.No.1109 of 2024

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Crl.M.P.No.12351 of 2024
in Crl.A.No.1109 of 2024

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(2/2)