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Crl.M.P.No.13163 of 2024
in Crl.A.No.1184 of 2024

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N.SESHASAYEE, J.

Petitioner / appellant was convicted for the offences U/s.7 and Section 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988 and sentenced to undergo one (1) year of Rigorous Imprisonment and to pay a fine of Rs.5,000/- in default to undergo two (2) months (S.I) for offence U/s.7 of the Prevention of Corruption Act, 1988, and to undergo one (1) year of Rigorous Imprisonment and to pay a fine of Rs.5,000/- in default to undergo two (2) months Simple Imprisonment for offences U/s.13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988, by the learned Special Judge, Special Court for trial of cases under Prevention of Corruption Act, Coimbatore, under judgment in Special C.C.No.33 of 2011 dated 30.08.2024. Hence, the petitioner seeks suspension of sentence.

2. The learned counsel for petitioner submits that the trial Court was pleased to suspend the sentence till 27.09.2024 and the petitioner / accused is on



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bail. The learned counsel further submits that there are several infirmities and inconsistencies found in the prosecution case and there are contradictions in the material particulars between the evidence of the prosecution witnesses.

3.Heard Dr.C.E.Pratap, the learned Government Advocate (Crl. Side) and the learned counsel appearing for the petitioner.

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 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



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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 satisfaction of the learned Special Judge, Special Court for trial of cases under Prevention of Corruption Act, Coimbatore, 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 the pending appeal.

23.09.2024
(1/2)

Note to office: Issue order copy on 26.09.2024



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