



Crl.M.P.No.14317 of 2024
in Crl.A.No.242 of 2018

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Crl.A.No.242 of 2018

M. NIRMAL KUMAR, J.

Today, the matter is listed under the caption “For Being Mentioned”.

2.It is submitted that in the order dated 10.12.2024, the first petitioner's name has been wrongly mentioned as 'Nanaki' instead of 'Janaki'.

3.The Registry is directed to carry out the correction and issue fresh copy of the order dated 10.12.2024.

4. The issue is clarified, accordingly.

29.04.2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.12.2024

CORAM

MR.JUSTICE N.SESHASAYEE

CRL.M.P.No.14317 of 2024
in Crl.A.No.242 of 2018

G.Jothivel (deceased)

1.Nanaki
2.Senthilkumar
3.Balachander

... petitioners

Vs.

State Represented by I.O.P
Vigilance and Anti-Corruption, CC-I Unit
Namakkal
(Crime No.16/AC/2005/SL)

... Respondent

Prayer: This miscellaneous petition is filed to permit the petitioners to withdraw the sum of Rs.2,00,000/- deposited to the credit of Spl.C.C.No.58 of 2008, on the file of the Special Judge / Chief Judicial Magistrate, Namakkal in Crl.A.No.242 of 2018, order dated 29.01.2024

For Petitioners : Mr.C.Prabakaran

For Respondent : Mr.K.M.D.Muhilan
Government Advocate (Crl. Side)



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ORDER

The appeal is directed by the one who was convicted for offence U/s.167 (2 counts), 467, 468. 420 r/w 511 (2 counts), 477(A) of I.P.C. and Section 7 of the Prevention of Corruption Act, 1988. Along with the appeal, the petitioner moved necessary application for suspension of his sentence imposed by the learned Special Judge / Judicial Magistrate, Namakkal in Spl.C.C.No.58 of 2008 vide judgment and order dated 20.03.2018. This Court allowed the same and directed the petitioner to *inter alia* execute a bond of Rs.2,00,000/- . Instead of executing a bond, the appellant had deposited Rs.2,00,000/- before the trial Court.

2.Be that as it may, the appellant has passed away and the case has abated. It is in these circumstances, the legal representatives of the appellant had now moved this Court for withdrawal of the bond amount of Rs.2,00,000/- which the appellant had deposited before the trial Court.

3.Heard both sides. The learned prosecutor submitted on instruction that the appellant had passed away and the money had also been deposited before the



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trial Court.

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4.In view of the fact that the appellant has passed away, the purpose for which the money was deposited has served its purpose. It is now time the deposited money is returned to the heirs of the appellant.

5.This miscellaneous petition stands allowed. The petitioner is now free to withdraw the said sum of Rs.2,00,000/- from the trial Court on the strength of this order.

10.12.2024

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10.12.2024