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Crl.M.P.No.13822 of 2024
in Crl.A.No.1236 of 2024

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N.SESHASAYEE, J.

Crl.M.P.No.13822 of 2024, which the petitioners have filed for suspension of sentence has not been listed today in the cause list. Since this Court has already directed the prosecution to file the counter and the counter is also ready, this Court made available Crl.M.P.No.13822 of 2024.

2.Petitioners / appellants were 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 three (3) years S.I. and to pay a fine of Rs.5,000/- each and in default to undergo one (1) month S.I. for offence U/s.7 of the Prevention of Corruption Act, 1988, and sentenced to undergo four (4) years of S.I. and to pay a fine of Rs.5,000/- each and in default to undergo one (1) month S.I. for offences U/s.13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988, by the Chief Judicial Magistrate Court, Tiruvarur, under judgment in Special C.C.No.04 of 2016 dated 24.09.2024. Hence, the petitioners seek suspension



Crl.M.P.No.13822 of 2024
in Crl.A.No.1236 of 2024

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2. The learned counsel for petitioners submits that the petitioners are confined in the Central Prison, Tiruchirappalli. 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 petitioners.

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 petitioners 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 petitioners herein is entitled to the relief of grant of suspension of sentence.

2/4



Crl.M.P.No.13822 of 2024
in Crl.A.No.1236 of 2024

5. The substantive sentence of imprisonment alone is suspended accordingly, and the petitioners are directed to be enlarged on bail on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Tiruvarur, and on further condition that the petitioners shall appear before the said Court on the first working day of every month at 10.30 a.m. until further orders.

15.10.2024
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Note to office: Issue order copy on 15.10.2024



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in Crl.A.No.1236 of 2024

15.10.2024
(2/2)