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Crl.M.P.No.13790 of 2024
in Crl.A.No.1234 of 2024

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N.SESHASAYEE, J.

Petitioner / appellant was convicted for the offences U/s.7 and 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988, and sentenced to undergo three (3) years of Rigorous Imprisonment and to pay a fine of Rs.10,000/- in default to undergo six (6) months Simple Imprisonment, U/s.7 of Prevention of Corruption Act, 1988, and sentenced to undergo three (3) years of Rigorous Imprisonment and to pay a fine of Rs.10,000/- in default to undergo six (6) months Simple Imprisonment, U/s.13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988 by the learned Special Judge cum Chief Judicial Magistrate, Tiruvallur, under judgment in Special Case No.01 of 2016 dated 20.09.2024. Hence, the petitioner seeks suspension of sentence.

2. The learned counsel for petitioner submits that the sentence was suspended by the trial Court till 19.10.2024. The learned counsel further



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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 that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten

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thousand only) with two sureties each for a like sum to the satisfaction of the learned Special Judge cum 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.

03.10.2024
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Note to office: Issue order copy today



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