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Crl.M.P.Nos.15670 and 15678 of 2024
in Crl.A.Nos.1371 and 1373 of 2024

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N.SESHASAYEE, J.

The petitioner herein is A1 in both C.C.No.5 of 2011 and C.C.No.4 of 2011 on the file of XI Additional Special Court for CBI Cases, (CBI Cases relating to Bank and Financial Institutions), Chennai. He has been convicted and sentenced for the charges, the details of which are provided in the table below :

<i>Case No.</i>	<i>Charges framed</i>	<i>Sentence imposed</i>
C.C. No.5 of 2011	120B r/w. 419, 420, 467, 468, 471 & 476 IPC and Under Sec.13(2)r/w. 13(1)(d) of Prevention of Corruption Act 1988	Three years rigorous imprisonment along with a fine of Rs.5,000/-, in default to undergo six months simple imprisonment
	420, 467, 468 and 471 r/w.467 IPC (3 counts)	Seven years rigorous imprisonment on each count of every section (12x7 = 84) along with a fine of Rs.10,000/- on each count of every section (12 x Rs.10,000/- = Rs.1,20,000/-), in default, to undergo six months simple imprisonment on each count of each section (12x6



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<i>Case No.</i>	<i>Charges framed</i>	<i>Sentence imposed</i>
		months = 72 months)
C.C. No.4 of 2011	120B r/w. 420, 467, 468, 476 & 471 r/w. 467 IPC and under Sec.13(1)(d) r/w.13(2)of Prevention of Corruption Act 1988	Three years rigorous imprisonment along with a fine of Rs.5,000/-, in default to undergo six months simple imprisonment
	420 and 471 r/w. 467 (2 counts)	Seven years rigorous imprisonment on each count of every section (4 x 7 = 28) along with a fine of Rs.10,000/- on each count of every section (4 x Rs.10,000/- = Rs.40,000/-), in default, to undergo six months simple imprisonment on each count of each section.
	467 and 468 IPC (2 counts)	Seven years rigorous imprisonment on each count of every section (4 x 7 = 28) along with a fine of Rs.10,000/- on each count of every section (4 x Rs.10,000/- = Rs.40,000/-), in default, to undergo six months simple imprisonment on each count of each section.

Hence, the petitioner seeks suspension of sentence. The petitioner is now undergoing his sentence in Central Prison, Puzhal, Chennai.



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2. The learned counsel for the petitioner submits that the petitioner was on bail till his conviction and the petitioner had paid substantial sum that he had borrowed.

3. Mr. K. Srinivasan, the learned Special Public Prosecutor for C.B.I. Cases, opposed the same in his customary vehement style and added that the 1st petitioner was convicted for utilizing false documents to mislead the bank to believe it that they are genuine and caused a loss of over 1 crore.

4. Without getting into the merit of the appeals, this Court deems it appropriate to suspend the sentence imposed on the petitioner (A1) in both Crl.MP.Nos.15670 and 15678 of 2024 on the following conditions:

- a) The petitioner (A1 in both C.C.No.5 of 2011 and C.C.No.4 of 2011) 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 satisfaction of the learned XI Additional Special Judge, C.B.I. Cases, Chennai.



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- b) The petitioner is required to deposit Rs.10,00,000/- (Rupees Ten Lakhs only) jointly in both C.C.Nos.4 and 5 of 2011, within a period of four (4) weeks from today, to the credit of the cases before the trial Court and the same is refundable irrespective of the outcome of the cases. Once the said amount is deposited, the trial Court is required to invest it in any nationalized bank.
- c) The petitioner shall appear before the said Court on the first working day of every English Calender month at 10.30 a.m. until further orders.

02.12.2024

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Note to office: Issue order copy on 03.12.2024



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