



CRL MP(MD) No.7274 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Fourteenth day of August Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.7274 of 2024

in

CRL A(MD) No.604 of 2024

G.BALASUBRAMANIAN

... Petitioner / Appellant (A1)

Vs

THE INSPECTOR OF POLICE
CBI ACB CHENNAI,
(RCMAI 2010 (A) 0035)

... Respondent / Respondent

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence imposed on the petitioner by the II Additional District court for CBI Cases, Madurai in C.C No. 5/2012 dt. 21.06.2024 and enlarge him on bail pending disposal of the above criminal appeal.

Prayer in CRL A(MD) No.604 of 2024:

To call for the records relating to the case in C.C.No.5 of 2012 on the file of the II Additional District Court for CBI Cases, Madurai and set aside the conviction and sentence dated 21.06.2024 imposed on the appellant.



CRL MP(MD) No.7274 of 2024

Order : This criminal miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.SAMIDURAI.K, Advocate for the petitioner and of Mr.M.KARUNANTHI, Special Public Prosecutor for CBI Cases on behalf of the Respondent, the Court made the following order:-

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned II Additional District Court for CBI Cases, Madurai in C.C.No.5 of 2012 dated 21.06.2024 and enlarge the petitioner on bail, pending disposal of the above said Criminal Appeal.

2.The learned counsel for the petitioner submitted that the petitioner has been convicted by the learned trial judge, for the alleged offence under Sections 120(B) read with 420, 468 read with 471 of IPC and Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988 and sentenced him to undergo one year rigorous imprisonment for two years and to pay a fine of Rs.5,000/- in default to undergo simple imprisonment for 6 months for the offences under Section 248(2) of Cr.P.C., and under Section 120(B) of IPC, to undergo rigorous imprisonment for 3 years and to pay a fine of Rs.30,000/- in default to undergo simple imprisonment for



CRL MP(MD) No.7274 of 2024

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6 months for the offence under Section 420 of IPC, to undergo rigorous imprisonment for 2 years and to pay a fine of Rs.30,000/- in default to undergo simple imprisonment for 6 months for the offences under Section 468 read with 471 of IPC and also to undergo rigorous imprisonment for 3 years and to pay a fine of Rs.30,000/- in default to undergo simple imprisonment for 6 months, for the offences under Section 13(2) read with 13(1)(d)(ii) of Prevention of Corruption Act, 1988. The sentences were ordered to run concurrently. Set off under Section 428 Cr.P.C. is also ordered.

3.Subsequent to the conviction and sentence, in an application filed by the accused in Crl.M.P.No.2353/2024, the trial Court itself by order dated 21.06.2024, suspended the sentence of the petitioner till 22.07.2024. Subsequently, it was extended till 16.08.2024.

4. Having regard to the fact that there are arguable points involved in the appeal and further, the appeal is not likely to be taken up for final hearing in the near future and also considering the fact the petitioner are already enlarged on bail by the trial Court, the suspension of sentence petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal and



CRL MP(MD) No.7274 of 2024

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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 Thousand only) each with two sureties each for a like sum to the satisfaction of the learned II Additional District Court for CBI Cases, Madurai and on further condition that the petitioner shall appear before the said Court once in a week at 10.30 a.m. pending appeal.

sd/-
14/08/2024

/ TRUE COPY /

14/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

To

1.The II Additional District Judge for CBI Cases,
Madurai.

2.The Inspector of Police,
CBI ACB,
Chennai.

3.The Special Public Prosecutor for CBI Cases,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.SAMIDURAI, Advocate (SR-9918[I] dated 14/08/2024)



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CRL MP(MD) No.7274 of 2024

ORDER

IN

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in

CRL A(MD) No.604 of 2024

Date :14/08/2024

ED/ /SAR- (14/08/2024) 5P / 5C

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