



CRL MP(MD) No.8293 of 2024

WEB COPY

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

Friday, the Sixteenth day of August Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.8293 of 2024

in

CRL A(MD) No.674 of 2024

KANJI

... APPELLANT/1st ACCUSED

Vs

THE SUPERINTENDENT OF POLICE
VIGILANCE AND ANTI CORRUPTION
THANJAVUR
CRIME NO.08/2008.

... 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 set aside the judgment dt.25.07.2024 made in Spl Case No.27/2014 in the Honble Court of Chief Judicial Magistrate cum Special Judge Thanjavur @ Kumbakonam allow the above Criminal Appeal.

Prayer in Crl.A(MD).674/2024:

Pleased to set aside the judgment dated 25.07.2024 made in Spl.Case No.27/2014 in the Hon'ble Court of Chief Judicial Magistrate cum Special Judge, Thanjavur @ Kumbakonam allow the above Criminal Appeal.

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. RAMSUNDARVIJAYRAJ.S, Advocate for the petitioner and of

<https://www.mhc.tn.gov.in/judis>



CRL MP(MD) No.8293 of 2024

Mr.R.MEENAKSHI SUNDARAM, Additional Public Prosecutor 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 Chief Judicial Magistrate cum Special Judge, Thanjavur at Kumbakonam, dated 25.07.2024 in Special Case No.27 of 2014 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 was convicted by the learned trial judge, for the alleged offence under Section 7 of Prevention of Corruption Act, 1988 and sentenced him to undergo three years rigorous imprisonment and to pay a fine of Rs.4,000/- in default to undergo 3 months simple imprisonment and also convicted for the offences punishable under Sections 13(2) r/w. 13(1)(d) of Prevention of Corruption Act, 1988 and sentenced him to undergo one year rigorous imprisonment and to pay a fine of Rs.1,000/- in default to undergo two months simple imprisonment. The sentences were ordered to run concurrently. Set off under Section 428 Cr.P.C. is also ordered.

3.It is submitted by the learned counsel for the petitioner that the trial Court, after convicting and sentencing the appellant/petitioner, suspended the sentence till 23.08.2024, by order dated 25.07.2024, in Crl.M.P.No.1014 of 2024 in Special Case

No.27 of 2014.

<https://www.mhc.tn.gov.in/judis>



CRL MP(MD) No.8293 of 2024

WEB COPY

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 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), with two sureties each for a like sum to the satisfaction of the learned Chief Judicial Magistrate cum Special Judge, Thanjavur @ Kumbakonam and on further condition that the petitioner shall appear before the said Court once in a week on every Monday at 10.30 a.m. pending appeal.

sd/-
16/08/2024

/ TRUE COPY /

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

OGY
TO

1 THE CHIEF JUDICIAL MAGISTRATE
CUM SPECIAL JUDGE, THANJAVUR @ KUMBAKONAM.

2 THE SUPERINTENDENT OF POLICE
VIGILANCE AND ANTI CORRUPTION

THANJAVUR

<https://www.mhc.tn.gov.in/judis>



CRL MP(MD) No.8293 of 2024

3 THE SUPERINTENDENT OF POLICE
VIGILANCE AND ANTI CORRUPTION
THANJAVUR.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-10081[I] dated
19/08/2024)

ORDER IN
CRL MP(MD) No.8293 of 2024
in CRL A(MD) No.674 of 2024
Date :16/08/2024

SA/JGB/SAR. /20.08.2024/4P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.