



CRL MP(MD) No.9733 of 2024

WEB COPY

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

Friday, the Thirteenth day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.9733 of 2024

in

CRL A(MD) No.759 of 2024

JAYALAKSHMI

... Petitioner / Appellant

Vs

REP BY THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION UNIT,
THANJAVUR,
THANJAVUR DISTRICT.
(CRIME NO. 10/2013)

... 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 enlarge the petitioner on bail by suspending the sentence imposed upon him in Special case No. 13/2014 on the file of the learned Special court / Chief Judicial Magistrate, Thanjavur at Kumbakonam by Judgment dt. 29.08.2024 pending disposal of the main criminal appeal.

Prayer in CRL A(MD) No.759 of 2024:

To call for the records in Special Case No.13 of 2014 on the file of the learned Special Court / Chief Judicial Magistrate, Thanjavur at Kumbakonam, and set aside the judgment dated 29.08.2024 and acquit the accused/ appellant of the charges.

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



CRL MP(MD) No.9733 of 2024

of M/s.R.ILAYARAJA, Advocate for the petitioner and of 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 Sessions Judge, Special Court/Chief Judicial Magistrate, Thanjavur at Kumbakonam, dated 29.08.2024 in Special Case No.13 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 has been convicted by the learned trial judge, for the alleged offence under Section 7 of Prevention of Corruption Act, 1988 and sentenced him to undergo 3 years rigorous imprisonment and to pay a fine of Rs.5,000/- in default to undergo 6 months simple imprisonment and also convicted for the offences punishable under Section 13(1)(d) r/w 13(2) of Prevention of Corruption Act, 1988 and sentenced him to undergo 1 year rigorous imprisonment and to pay a fine of Rs.1,000/- in default to undergo 1 month 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 sentence was already suspended by the trial Court for a period of 30 days.

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



CRL MP(MD) No.9733 of 2024

WEB COPY

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) each with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Special Court/Chief Judicial Magistrate, Thanjavur at Kumbakonam 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/-
13/09/2024

/ TRUE COPY /

13/09/2024
Sub-Assistant Registrar (AD II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

To

1.The Sessions Judge,
Special Court / Chief Judicial Magistrate,
Thanjavur at Kumbakonam.

2.The Inspector of Police,
Vigilance and Anti Corruption Unit,
Thanjavur, Thanjavur District.



CRL MP(MD) No.9733 of 2024

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.ILAYARAJA, Advocate (SR-11280[I] dated 13/09/2024)

ORDER
IN
CRL MP(MD) No.9733 of 2024
in
CRL A(MD) No.759 of 2024
Date :13/09/2024

ED/ /SAR- (13/09/2024) 4P / 5C

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