



CRL MP(MD) No.10002 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.10002 of 2024

in

CRL A(MD) No.782 of 2024

L.GANDHI

... PETITIONER/ APPELLANT/ SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION DETACHMENT,
SIVAGANGAI,
SIVAGANGAI DISTRICT.

(REF. CRIME NO. 3/2008)

... RESPONDENT/ RESPONDENT/ COMPLAINANT

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 of 3 years rigorous imprisonment for offence U/s. 7 and 13(2) r/w 13(1) (d) of Prevention of Corruption Act 1988 respectively imposed against the petitioner by the Learned Special Judge for Trial of Cases under the Prevention of Corruption Act, Sivagangai by order dated 27.08.2024 in Spl.C.C.No.42/2014 and enlarge the petitioner on bail pending disposal of the Criminal Appeal.

Prayer in CRL A(MD) No.782 of 2024 :

To call for records and set aside the order of conviction and sentence dated 27.08.2024 passed by the Learned Special Judge for Trial of Cases under the Prevention of Corruption Act 1988, Sivagangai in Spl.C.C.No.42/2014, convicting the appellant for offence under Section 7 of Prevention of Corruption Act 1988 and sentencing to undergo 3 years rigorous imprisonment and fine of Rs.5000/- and 3 years rigorous imprisonment and fine of Rs.5000/- for offence under Section 13(2) r/w 13(1)(d) respectively with default stipulation and acquit the appellant.

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



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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 MR.D.SHANMUGARAJA SETHUPATHI, Advocate for the petitioner and of MR.R.MEENAKSHI SUNDARAM, Additional Public Prosecutor on behalf of the Respondent, while admitting the Criminal Appeal, the court made the following order:-

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Special Judge for Trial of Cases under the PC Act, Sivagangai, dated 27.08.2024, made in Spl.C.C.No.42 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 to undergo rigorous imprisonment for three years and to pay a fine of Rs.5,000/- in default to undergo simple imprisonment for three months and convicted under Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988 and sentenced to undergo rigorous imprisonment for three years and to pay a fine of Rs.5,000/- in default to undergo simple imprisonment for three months.

3.It is submitted by the learned counsel for the petitioner that the sentence was already suspended by the trial Court from 27.08.2024 till 25.09.2024, by order dated 27.08.2024.

4.Having regard to the fact that there are arguable points involved in the appeal



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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) each with two sureties each for a like sum to the satisfaction of the learned Judge, Special Court for Trial of Cases under Prevention of Corruption Act, Sivagangai, 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/-
20/09/2024

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23/09/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn

TO

1 THE JUDGE,
SPECIAL COURT FOR TRIAL OF CASES UNDER
THE PREVENTION OF CORRUPTION ACT,
SIVAGANGAI.



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2 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION DETACHMENT,
SIVAGANGAI, SIVAGANGAI DISTRICT.

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

+1 CC to M/s.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-11508[I] dated
20/09/2024)

ORDER
IN
CRL MP(MD) No.10002 of 2024
in
CRL A(MD) No.782 of 2024
Date :20/09/2024

RS//SAR-(23.09.2024) 4P 5C
Madurai Bench of Madras High Court is issuing
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