



CRL.M.P.(MD)No.11186 of 2024

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

Monday, the Twenty Eighth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL.M.P.(MD)No.11186 of 2024

in

CRL.A.(MD)No.855 of 2024

P.MURUGAN

... Petitioner / Appellant

Vs

THE STATE OF TAMILNADU
REP. BY THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI -CORRUPTION,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
CRIME NO. 10/2009.

... 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 by the Court of the Special Judge cum Chief Judicial Magistrate Court, Ramanathapuram, Ramanathapuram District in Special C.C.No. 05/2011 on 07.10.2024 and release the petitioner on bail pending disposal of the Crl.A.

Prayer in CRL A(MD). 855/ 2024 :

To call for the records and set aside the conviction and sentence imposed by the Court of the Special Judge Cum Chief Judicial Magistrate Court, Ramanathapuram, Ramanathapuram District in Special C.C.No. 05/2011 on 07.10.2024

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.M.JOTHI BASU, Advocate for the petitioner and of M/s.R.MEENAKSHI SUNDARAM, Additional Public Prosecutor on behalf of the

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Respondent the Court made the following order:-

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This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Special Judge cum Chief Judicial Magistrate, Ramanathapuram, Ramanathapuram District, dated 07.10.2024 in Spl.C.C.No.5 of 2011 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, who is the accused in this case has been convicted by the learned trial judge, for the alleged offence under Section 7 of Prevention of Corruption Act, 1988 (Prior to the Amendment) and sentenced him to undergo two years rigorous imprisonment and to pay a fine of Rs.1,000/- in default to undergo 3 months simple imprisonment; for the alleged offence under Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988 (Prior to the Amendment) and sentenced him to undergo two years rigorous imprisonment and to pay a fine of Rs.1,000/- in default to undergo 3 months simple imprisonment. The above said sentence was ordered to run concurrently and set off under Section 468 BNSS Act was also ordered.

3.It is submitted by the learned counsel for the petitioner that the sentence was already suspended by the trial Court till 06.11.2024.

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



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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 Special Judge cum Chief Judicial Magistrate, Ramanathapuram, Ramanathapuram District, 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/-
28/10/2024

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/ 11 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

TO

1. THE SPECIAL JUDGE CUM CHIEF JUDICIAL MAGISTRATE COURT,
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT

2 THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI -CORRUPTION,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.

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

+1. C.C. to M.JOTHI BASU, Advocate SR.No.13413(I) dated 29/10/2024

ORDER
IN
CRL.M.P.(MD)No.11186 of 2024
in
CRL.A.(MD)No.855 of 2024
Date :28/10/2024

PSP/ SVR /SAR /30.10.2024/ 4P/ 5C

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