



CRL MP(MD) No.16854 of 2023

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

Friday, the Twelfth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice VIVEK KUMAR SINGH

CRL MP(MD) No.16854 of 2023

IN

CRL A(MD) No.830 of 2023

1 R.MURALI

2 SHARUN RASHIT

... PETITIONERS/ APPELLANTS/
ACCUSED 10 & 15

Vs

THE DEPUTY SUPERINTENDENT OF POLICE,
CBI : SCB, CHENNAI.
(RC 9 (S)/2010).

... 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 imposed against the petitioner in CC No.7/2012 dt.12/6/2023 passed by the Honble II Additional District Court (CBI Cases), Madurai and enlarge the petitioner on bail pending disposal of the above appeal.

PRAYER IN CRL.A(MD).830/2023:

Pleased to call for the records in C.C.No.07 of 2012 dated 12.06.2023 passed by the Hon'ble II Additional District Court(CBI Cases), Madurai and to set aside the same.

Order : This Criminal Miscellaneous Petition coming up for orders on this day, upon
<https://www.jmhc.tn.gov.in/judis>



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perusing the petition filed in support thereof and upon hearing the arguments of Mr.G.KARUPPASAMY PANDIYAN, Advocate for the petitioner and of Mr.N.MOHIDEEN BASHA, Special Public Prosecutor for CBI Cases, on behalf of the Respondents the court made the following order:-

This Criminal Miscellaneous Petition has been filed to suspend the sentence passed in C.C.No.7 of 2012, dated 12.06.2023, on the file of the II Additional District Court (CBI Cases), Madurai and enlarge the petitioner on bail till the disposal of this Criminal Appeal.

2. This Court, in an earlier round of litigation, has granted suspension of sentence by an order dated 12.10.2023 in CrI.M.P.(MD) No.13020 of 2023 by directing the petitioner to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs Only) to the credit of C.C.No.7 of 2012 on the file of the learned II Additional District Judge (CBI) Cases, Madurai District, within a period of four weeks therefrom. Failing which, the grant of bail passed by this Court shall stand dismissed automatically.

3. Today, when the matter is taken up for hearing, the learned counsel for the petitioner made a fervent plea that due to the financial constraints, the petitioner could not mobilise the amount of Rs.3,00,000/- (Rupees Three Lakhs Only) as directed by this Court and hence, sought for modification of the order to deposit the amount to the credit of C.C.No.7 of 2012 on the file of the learned II Additional District Judge (CBI) Cases, Madurai District. The learned counsel for the petitioner



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further submitted that the petitioner is ready to comply with the other conditions as stipulated vide order dated 12.09.2023.

4. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

5. Considering the plight of the petitioner and the facts and circumstances of the case, this Court is inclined to modify the conditions as follows:-

(i) Each petitioner shall deposit a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand Only) to the credit of C.C.No.7 of 2012 on the file of the learned II Additional District Judge (CBI Cases), Madurai District, within a period of four weeks from today, failing which the sentence suspended shall automatically dismissed and the respondent is at liberty to execute the sentence imposed by the trial Court against the petitioner in the manner known to law;

(ii) On such deposit, the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned II Additional District Judge (CBI Cases), Madurai District;

(iii) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank Pass



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Book to ensure their identity;

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(iv) The petitioners shall appear before the trial Court once in a month i.e., on the first working day of every English calendar month at 10.30 a.m., until further orders;

(v) The learned trial Judge is hereby directed to deposit the said amount in any one of the Nationalised Bank in interest bearing account.

6.For reporting compliance, post this matter on 09.02.2024.

sd/-

12/01/2024

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/01/2024

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

PKN

TO

1 THE II ADDITIONAL DISTRICT JUDGE (CBI CASES),
MADURAI DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3 THE DEPUTY SUPERINTENDENT OF POLICE,
CBI : SCB, CHENNAI.

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



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+1 CC to M/s.G.KARUPPASAMY PANDIYAN, Advocate (SR-742[I] dated
12/01/2024)

ORDER
IN
CRL MP(MD) No.16854 of 2023
Date :12/01/2024

SA/SAR. /12.01.2024/5P/6C

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