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Crl.M.P.No. 10119 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22.05.2025**

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CRL.M.P.No.10119 of 2025

in

Crl.A.No.522 of 2025

V.Viswanathan

... Petitioner

Versus

The State Rep. by
The Inspector of Police,
Vigilance and Anti Corruption,
Coimbatore,
presently Tiruppur District.

... Respondent

Prayer:- Criminal Miscellaneous Petition filed under Section 430(1) of BNSS, to suspend the sentence passed by the learned Chief Judicial Magistrate, Tiruppur convicting the appellant to three years R.I and a fine of Rs.2000 in default to undergo one month simple imprisonment under Section 7 of Prevention of Corruption Act 1988 and three years R.I and a fine of Rs.2,000 under Section 13(2) r/w 13(i) of Prevention of Corruption Act 1988 in default to undergo simple imprisonment for one month to enlarge the petitioner on bail in Special C.C.NO.09 of 2014 on the file of the Chief Judicial Magistrate, Tiruppur.

For Petitioner : Mr.B.Mahendra Naidu.

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)



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ORDER

This Criminal Miscellaneous Petition has been filed seeking to suspend the sentence of imprisonment dated 21.04.2025 passed in Spl.C.C.No.09 of 2014 by the learned Chief Judicial Magistrate, Tiruppur, pending disposal of the above Criminal Appeals and enlarge the petitioner on bail.

2.The petitioner/Accused in Spl.C.C.No.09 of 2014 was convicted by the Trial Court by judgement dated 21.04.2025 for the offences under Section 7 of P.C Act, 1988 to undergo three year rigorous imprisonment and a fine of Rs.2,000/- in default to under go one month simple imprisonment and for the offences under Section 13(2) r/w 13(i)d of Prevention of Corruption Act, 1988 to undergo three years of rigorous imprisonment and a fine of Rs.2,000/- in default to undergo simple imprisonment for one month. Aggrieved by the same, the petitioner preferred appeal before this Court along with the instant miscellaneous petitions seeking suspension of sentence and bail.



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3.The learned counsel for petitioner submitted that the petitioner has raised substantial grounds in the appeal, which requires consideration and prayed for granting suspension of sentence to the petitioner.

4.Heard the learned Additional Public Prosecutor appearing for the respondent.

5.Considering the fact that there are substantial grounds raised in the above appeal, which requires consideration and since the appeal is not likely to be taken up in the near future, this court is inclined to grant the relief of suspension of sentence to the petitioner.

6. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence imposed on the petitioner is suspended till the disposal of the above Criminal Appeal and the petitioner is ordered to be released on bail on the following conditions:

- (i) The petitioner shall execute his own bond for a sum of Rs.10,000/-, for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Tiruppur;



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- (ii) The petitioner shall affix his photograph and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of his Aadhar card or Bank pass Book and mobile numbers to ensure his identity; and
- (iii) The petitioner shall appear before the trial Court on the first working day of every month at 10.30 a.m. until the disposal of the appeals and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

dpa/skr

22.05.2025
(2/2)

Note:

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this court will be watermarked and will also have a QR code.**



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To

- 1.The Chief Judicial Magistrate, Tiruppur
- 2.The Inspector of Police,
Vigilance and Anti Corruption,
Coimbatore,
presently Tiruppur District.
- 3.The Public Prosecutor,
Madras High Court.



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N.SENTHILKUMAR, J.

dpa/skr

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