



Crl.M.P.No.11629 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

Crl.M.P.No.11629 of 2025
in Crl.A.No.668 of 2025

A.Jayaprakash Shetty

... Petitioner

Vs.

The Deputy Superintendent of Police,
SPE/CBI/ACB/Chennai,
(R.C.No. 30/A/2005-CBI/ACB/Chennai.

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Sections 389(1) of Cr.P.C., 1973 pleased to suspend the sentence of imprisonment passed by the Court of XI Additional Special Judge for CBI Cases relating to Banks and Financial Institutions, Chennai in C.C.No. 19/2007 dated 23.05.2025 and direct the release of the petitioner/appellant/accused No.1 on bail with reasonable conditions pending disposal of the appeal by this Court, in the interest of justice and equity.

For Petitioner : Mr.T.Sivananthan
assisted by Ms.M.Anitha

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor for CBI Cases

ORDER



CrI.M.P.No.11629 of 2025

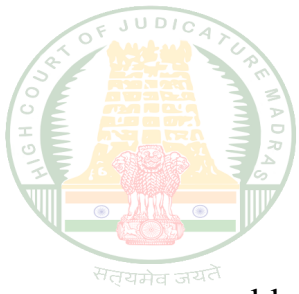
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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence of imprisonment made by the judgment dated 23.05.2025 in C.C.No. 19/2007 on the file of the XI Additional Special Judge for CBI Cases.

2. The conviction and sentence imposed against the petitioner is as follows:-

<i>Under Section</i>	<i>Sentence</i>
Section 120B r/w section 420, 468, 471 r/w 468 and 477A of the Indian Penal Code and under Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988.	3 years Rigorous Imprisonment with fine of Rs.10,000/- i/d 3 months of Simple Imprisonment
Section 420 of IPC	3 years Rigorous Imprisonment with fine of Rs.10,000/- i/d 3 months of Simple Imprisonment
Section 477A of IPC	3 years Rigorous Imprisonment with fine of Rs.10,000/- i/d 3 months of Simple Imprisonment
Section 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988.	3 years Rigorous Imprisonment with fine of Rs.10,000/- i/d 3 months of Simple Imprisonment

3. According to the learned counsel for the petitioner, there are



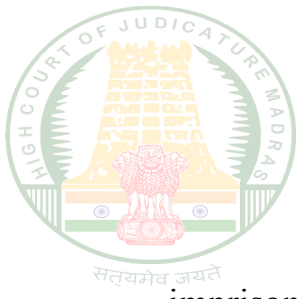
CrI.M.P.No.11629 of 2025

arguable points available in the Criminal Appal, which is not likely to be taken for final hearing in the near future and the petitioner has got a fair chance of succeeding in the Criminal Appeal and sentence is also remains suspended by the trial Court as on date; hence, the sentence imposed against the petitioner may be suspended and the petitioner may be enlarged with bail.

4. Learned Special Public Prosecutor appearing for the respondent submitted that the prosecution has proved the case beyond reasonable doubts and the trial Court on finding the petitioner guilty, convicted him as stated above. Therefore, he vehemently opposed for grant of suspension of sentence.

5. Heard the learned counsel for the petitioner and the learned Special Public Prosecutor appearing for the respondent and perused the materials on record.

6. Considering the fact that the appeal is likely to take some time for disposal, and taking into account the overall facts and circumstances of the case; including the age of the petitioner being 73 years and the fact that the fine amount has already been paid, this Court is of the view that the sentence of



CrI.M.P.No.11629 of 2025

imprisonment can be suspended subject to certain conditions.

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7. Accordingly, till the disposal of the Criminal Appeal, suspension of sentence is granted, on the following conditions :-

(i) The petitioner shall execute a bond for a sum of Rs.25,000/- with two sureties, each for a like sum to the satisfaction of the trial Court;

(ii) The petitioner and 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 Book and mobile numbers to ensure their identity;

(iii) The petitioner shall appear before the Trial Court at 10.30 a.m., on the first working day once in every three months, that is from October 2025 onwards 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 355 of BNSS, 2023 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;



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CrI.M.P.No.11629 of 2025

7. Accordingly, the Criminal Miscellaneous Petition stands ordered.

23.06.2025

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Crl.M.P.No.11629 of 2025

D.BHARATHA CHAKRAVARTHY, J.
nsI

To

1. The XI Additional Special Judge for CBI Cases
2. The Deputy Superintendent of Police,
SPE/CBI/ACB/Chennai,
(R.C.No. 30/A/2005-CBI/ACB/Chennai.
3. The Special Public Prosecutor,
High Court of Madras.

Crl.M.P.No.11629 of 2025
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23.06.2025

2/2