

Crl.M.P.No.12043 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2025

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

Crl.M.P.No.12043 of 2025
in Crl.A.No.704 of 2025

S.Sheik Ajmul

... Petitioner

Vs.

The State-Rep.by
The Deputy Superintendent of Police,
SPE/CBI/ACB/Chennai.
(RC.No.30/2005, CBI/ACB Chennai)

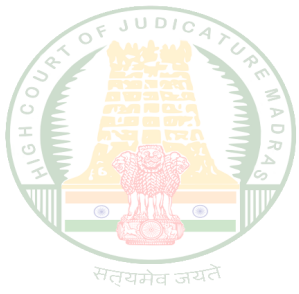
... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Sections 430(1) of the BNSS, 2023, pleaded to suspend the sentences of 3 years Rigorous Imprisonment alone imposed on the Petitioner/Appellant/Accused No.2 herein by the Learned XI Additional Special Judge for CBI relating to Banks and Financial Institutions, Chennai 600001, Chennai District on 23.05.2025 in CC.No.19 of 2007 and enlarge the petitioner on bail pending disposal of the above Appeal.

For Petitioner : Mr.G.Saravanan

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

ORDER



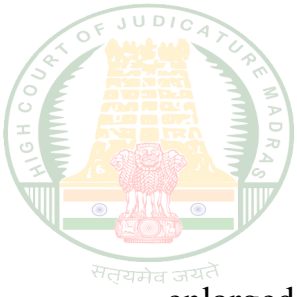
Crl.M.P.No.12043 of 2025

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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentences imposed on the Petitioner by the learned XI Additional Special Judge for CBI relating to Banks and Financial Institutions, Chennai 600001, on 23.05.2025 in CC.No.19 of 2007.

2. The petitioner was convicted and sentenced under section 120-B r/w 420, 468, 471 r/w 468 and 477A of IPC and under Section 13(2) r/w 13(1)(d) of PC Act, 1988 and under the substantive offences under Section 420 and 471 r/w 468 of IPC to undergo 3 years of Rigorous imprisonment on each section (3x3 = 9 years) along with fine of Rs.40,000/- on each sections. (Total fine amount : 3x 40000 = 1,20,000). In default he has to undergo 3 months of simple imprisonment on each section (3x3 = 9 months)

3. The learned counsel for the petitioner submits that there are arguable points available in the Criminal Appeal, 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. He further submits that until yesterday, the sentence had remained suspended by the Trial Court. Hence, the sentence imposed against the petitioner may be suspended and the petitioner may be



Crl.M.P.No.12043 of 2025

enlarged on bail.

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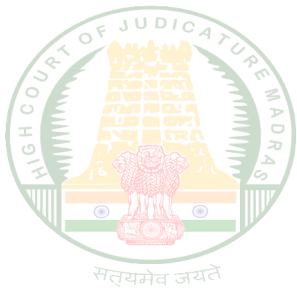
4. Learned Special Public Prosecutor appearing for the respondent submitted that the prosecution has proved the case beyond reasonable doubts and the trial Court on finding the petitioner guilty, convicted him as stated above. Therefore, he vehemently opposed for grant of suspension of sentence.

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, this Court is of the view that the sentence of imprisonment can be suspended subject to certain conditions.

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



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Crl.M.P.No.12043 of 2025

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 on the first working day of every English Calendar month at 10.30 a.m., 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;

7. Accordingly, the Criminal Miscellaneous Petition stands ordered.

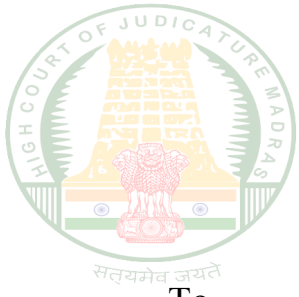
24.06.2025

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D.BHARATHA CHAKRAVARTHY, J.

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Crl.M.P.No.12043 of 2025

To

1. XI Additional Special Judge for CBI,
Chennai 600001
2. The Deputy Superintendent of Police,
SPE/CBI/ACB/Chennai.
3. The Special Public Prosecutor,
High Court of Madras.

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2/2