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CRL MP No. 12350 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL MP No. 12350 of 2025

in

Crl.A.No.724 of 2025

1. C.Ramesh
S/o.Chandrababu,
No.11, Ottaivada Street,
Gandhi Nagar, Oragadam, Ambattur,
Chennai-600 053

Appellant(s)

Vs

1. State rep by
The Deputy Superintendent of Police
SPE/CBI/ACB, Chennai
RC MAI 30(A)/2005

Respondent(s)

PRAYER: Criminal Miscellaneous Petition filed under Sections 389(1) of Cr.P.C., pleaded to suspend the sentence imposed on the petitioner/appellant-6 herein passed by the Learned XI Additional Special judge for CBI Cases relating to Banks and Financial Institutions, Chennai by judgement dated 23.05.2025 made in C.C.No.19 of 2007 and enlarge the petitioner on bail pending disposal of the above criminal appeal of the files of this Court



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For Appellant(s): Mr.K.Shanker
For Respondent: Mr.K.Srinivasan
Special Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of the sentence and conviction imposed by the Trial Court in C.C.No.19 of 2007 on the file of Learned XI Additional Special judge for CBI Cases relating to Banks and Financial Institutions, Chennai dated 23.05.2025.

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

<i>Under Section</i>	<i>Sentence</i>
Section 120-B r/w 420, 468 and 471 r/w 468 and 477(A) of IPC and 13(2) r/w 13(1)(d) of PC Act, 1988 with substantive offence under Sections 420, 468 and 471 r/w 468 IPC	Sentenced to undergo rigorous imprisonment for one year for each offence and also to pay a fine of Rs.5,000/- for each offence and in default to undergo R.I. for 3 months. Total amount of fine to be paid by the petitioner is Rs.20,000/-

3. The learned counsel for the petitioner would submit that the Trial Court had erroneously convicted the appellant. It is also submitted that the fine amount had already been paid. Referring to the grounds of appeal, he would submit that there is more than a prima facie case for the appellant in the appeal.



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4. Per contra, the learned Special Public Prosecutor would oppose by stating that the trial Court has rightly convicted the appellant. 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. I have considered the fact that it may take a while for the criminal appeal to be taken up for final hearing. The maximum sentence that is imposed is one year of rigorous imprisonment. It is also stated that sentence remains suspended till date by the Trial Court. This Court is of the view that the sentence of imprisonment can be suspended on certain conditions. Accordingly, till the disposal of the Criminal Revision case, suspension of sentence is granted, on the following conditions :-



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CRL MP No. 12350 of 2025



(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 once in three months at 10.30 a.m., i.e., starting from 04.08.2025, 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.

30-06-2025

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Neutral Citation: Yes/No



CRL MP No. 12350 of 2025



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1.State rep by The deputy
superintendent of police
SPE/CBI/ACB, Chennai RC MAI
30(A)/2005



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CRL MP No. 12350 of 2025



D.BHARATHA CHAKRAVARTHY J.

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30-06-2025

1/2