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Crl.M.P.No.12924 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

CORAM

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

Crl.M.P.No.12924 of 2025
in Crl.A.No.773 of 2025

M.Sureshkumar

... Petitioner

Vs.

The Deputy Superintendent of Police,
SPE/CBI/ACB/Chennai.

... Respondent

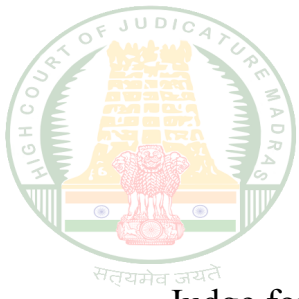
PRAYER: Criminal Miscellaneous Petition filed under Sections 374(2) of Cr.P.C., 1973 pleased to suspend the substantive sentences imposed on the petitioner by the learned XI Additional Special Judge, CBI Cases relating to Banks & Financial Institutions, Chennai, in C.C.No.19 of 2007 by a judgement dated on 23.05.2025 and enlarge the petitioner on bail disposal of the above Criminal Appeal.

For Petitioner : Mr.D.Ravi Kumar

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

ORDER

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 of 2007 on the file of the XI Additional Special



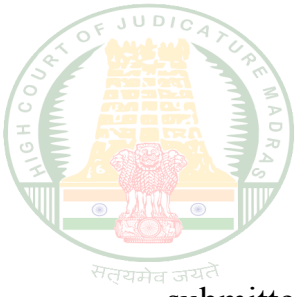
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Judge for CBI Cases relating to Banks & Financial Institutions, Chennai.

2. The petitioner is 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 offence u/s 420 IPC to undergo 2 years of Rigorous Imprisonment on each Section ($2 \times 2 = 4$ years) along with fine of Rs.10,000/- on each sections (Total fine amount : $2 \times 10000 = 20,000$). In default, he has to undergo 3 months of simple imprisonment on each section ($2 \times 3 = 6$ months).

3. According to the learned counsel for the petitioner, there are arguable points available in the Criminal Appeal, which is not likely to be taken for final hearing in the near future. He submits that the petitioner has got a fair chance of succeeding in the Criminal Appeal. It is further contended that the demand itself has not been properly proved and a *prima facie* case exists in favour of accused; the sentence imposed against the petitioner may be suspended and the petitioner may be enlarged on bail.

4. Learned Special Public Prosecutor appearing for the respondent



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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 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



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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;

7. Accordingly, the Criminal Miscellaneous Petition stands ordered.

04.07.2025

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D.BHARATHA CHAKRAVARTHY, J.



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To

1. The XI Additional Special Judge,
CBI Cases relating to Banks & Financial Institutions,
Chennai.
2. The Deputy Superintendent of Police,
SPE/CBI/ACB/Chennai.
3. The Public Prosecutor,
High Court of Madras.

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