



*Crl.M.P.No.13477 of 2025
in Crl.A.No.851 of 2025*

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.No.13477 of 2025
in Crl.A.No.851 of 2025

T.S.R.Vasudevan

.. Petitioner

Versus

State rep by Inspector of Police,
CBI/EOW/Chennai.

.. Respondent

Prayer : Criminal Miscellaneous Petition filed under Section 430(1) of BNSS, to suspend the sentence imposed against the petitioner in C.C.No.61 of 2003, on the file of the learned XI Additional Special Judge for CBI Cases, Chennai and enlarge the petitioner on bail.

For Petitioner : Mr.M.Kumar

For Respondent : Mr.B.Mohan,
Special Public Prosecutor
(CBI Cases)



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ORDER

In this application, the prayer is made to suspend the sentence pending disposal of the appeal.

2. The learned Counsel for the petitioner, by pointing out to certain grounds raised in the petition, would submit that in this case, the petitioner is totally unable to pay the entire fine amount. However, he has already filed an affidavit undertaking to pay a portion of the fine amount, being Rs.15,00,000/-. Therefore, he would submit that the sentence, in respect of the remaining fine amount as well as the imprisonment, may be suspended.

3. The said submissions are opposed by the learned Special Public Prosecutor (CBI cases) for the respondent on the ground that even as on today, the entire amount is not recovered by the bank and the Trial Court has arrived at the findings on the basis of the overwhelming evidence produced on behalf of the prosecution.



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4. I have considered the rival submissions made on either side and perused the material records of the case.

5. It is true that the total fine amount in this case is Rs.1,00,00,000/-.

However, considering the inability pleaded by the petitioner and the affidavit of undertaking filed to deposit a portion of the fine amount being Rs.15,00,000/- and considering the fact that it may take a while to prepare the appeal papers and the appeal to be taken up for final hearing, I am of the view that upon payment of Rs.15,00,000/-, the payment of remaining part of the fine amount i.e., Rs.85,00,000/- and also the sentence of imprisonment, can be suspended pending disposal of the Criminal Appeal.

6. As such, this Criminal Miscellaneous Petition is ordered on the following terms:-

Upon deposit of the sum of Rs.15,00,000/- by the petitioner herein,



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the sentence relating to the imprisonment as well as the payment of balance fine amount of Rs.85,00,000/-, remained suspended pending disposal of the appeal on the following conditions:-

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

(b) 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;

(c) The petitioner shall appear before the Trial Court on the first working day once in every three months 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.



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Neutral Citation : no
grs

To

1. The XI Additional Special Judge for CBI Cases,
Chennai.
2. The Inspector of Police,
CBI/EOW/Chennai.
3. The Public Prosecutor,
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY, J.

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