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Crl.M.P. No.14287 of 2025 in Crl.A.No.348 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

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

Crl.M.P. No.14287 of 2025
in Crl.A.No.348 of 2021

R.Sasikala

... Petitioner/ Appellant

Vs.

State represented by,
The Deputy Superintendent of Police,
Economic Offences Wing-II Unit,
Salem.

C.C.No.14 of 2013

... Respondent/ Respondent

PRAYER: This Criminal Miscellaneous Petition is filed under Sections 483 of BNSS, 2023 read with 430 (1) of BNSS Act, to suspend the conviction and sentence imposed on the petitioner in C.C.No.14 of 2013 dated 14.12.2020 on the file of the Special Judge, Special Court under TNPID Act, Coimbatore and enlarge the petition on bail pending disposal of the above Criminal Appeal.

For Petitioner : Mr.C.Prakasam

For Respondent : Ms.J.R.Archana
Government Advocate



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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence of imprisonment made by the judgment dated 14.12.2020 in C.C.No. 14 of 2013 on the file of the Special Judge, Special Court under TNPID Act, Coimbatore.

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

<i>Under Section</i>	<i>Sentence</i>
Section 120 B of IPC	2 years Simple Imprisonment with fine of Rs.5,000/- each counts (Rs.5,000/- x 374 counts) in default to undergo 1 year Simple Imprisonment
Section 406 IPC	3 years Simple Imprisonment with fine of Rs.5,000/- each counts (Rs.5,000/- x 374 counts) in default to undergo 1 year Simple Imprisonment
Section 420 IPC	3 years Simple Imprisonment with fine of Rs.5,000/- each counts (Rs.5,000/- x 374 counts) in default to undergo 1 year Simple Imprisonment
Section 5 of the TNPID Act, 1997	10 years Simple Imprisonment with fine of Rs.5,000/- each counts (Rs.5,000/- x 374 counts) in default to undergo 1 year Simple Imprisonment.
	The sentences shall run concurrently

3. The detailed order granting suspension of sentence to all the other

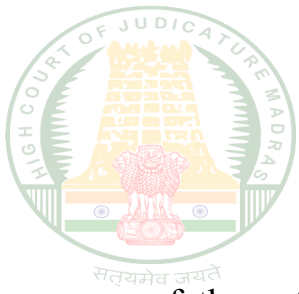


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accused was made by this Court vide its order dated 18.07.2025 in Crl.M.P.Nos.13059, 11099 of 2025 and 11885 of 2024. The petitioner also filed an affidavit stating that she has no objection in bringing the properties for public auction and the petitioner was also surrendered now and is undergoing sentence.

4. Considering all the above facts and also the fact that the petitioner has filed an affidavit before this Court, accepting that the Competent Authority can bring the said properties for auction and she has no objection for proceeding with the auction and the affidavit of the petitioner having been filed, recorded and taken on file by this Court and on condition that she is accepting for the auction of the properties, except the property which is now pending in a Civil dispute, I am of the view that the suspension of sentence as well as the exemption to pay the fine amount can be granted to the petitioner, pending the appeal.

5. In view of the No objection that filed by the Raja (A3) and Sasikala, petitioner herein and statement that is made even with reference to the other properties that is standing in the name of Raman, who is none other than the

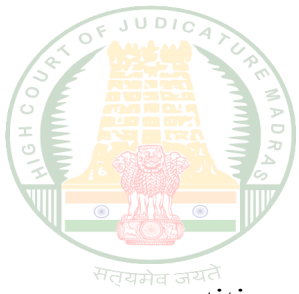


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father of the said Raja, stating no objection for selling the properties, the procedural requirement of the Competent Authority filing one more application before the Trial Court for auction of the properties is dispensed with. Thereby, this Court permits and directs the Competent Authority to fix the date of auction, make a wide publication by mentioning the properties and its value as fixed by obtaining the valuation report and carry out the auction at an early date.

6. Upon the publication that being made, it is open for the accused persons to arrange for any third party to participate in the said auction and thereafter, the petitioner cannot make a complaint that the properties have been sold for a lesser amount. Further, no appeal or petition in that regard will also be entertained by this Court or by the Trial Court. Therefore, the Competent Authority shall give adequate publicity to the proposed sale, and, considering that it would be in the best interest of the depositors, ensure that the property is sold at a proper and reasonable prevailing market value. Therefore, the application is ordered on the following terms.

7. The sentence of imprisonment as well as the fine imposed on the



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petitioner by judgment dated 14.12.2020 in C.C. No.14 of 2013 shall remain suspended, till the disposal of this appeal 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 concerned;

(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 concerned once in three months. The petitioner shall report before the Trial Court on the first working day of the month of August 2025 at 10:30 a.m., and thereafter, follow the three monthly cycle.;

(iv) The No objection submitted by the petitioner for bringing the properties to the auction is also recorded. The Competent Authority is directed straightaway to give publication for auctioning the properties and after completion of the auction, application may be immediately filed by the Competent Authority before the Trial Court for disbursal of the



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amount that has come from the auctioning of the properties, and as per the directives of the Trial Court, the amount shall be disbursed.

8. Accordingly, these Criminal Miscellaneous Petitions stands ordered.

21.07.2025

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To

1. The Special Judge,
Special Court under TNPID Act,
Coimbatore.
2. The Deputy Superintendent of Police,
Economic Offences Wing-II Unit,
Salem District.
Crime No.14 of 2012
3. The Superintendent
Central Jail, Coimbatore, Coimbatore District.
4. The Public Prosecutor
High Court of Madras.



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D. BHARATHA CHAKRAVARTHY, J.
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