



Crl.A.No.818 of 2017

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.A.No.818 of 2017

Franklin Samuel Raj @ Toney @
Andrew Marshall

.. Appellant

Versus

State rep. by:
The Inspector of Police,
C.B.I./EOW/Chennai.

.. Respondent

Prayer : Criminal Appeal filed under Section 374(2) of Cr.P.C., to admit and allow this appeal by setting aside the order of the Trial Court, dated 20.12.2017 in C.C.No.07 of 2013 sentencing (i) the Appellant under Section 120-B r/w.420, 201, 409, 419, 465, 467, 468 & 471 I.P.C and Section 13 (2) r/w.13 (1)(d) of PC Act, 1988 to undergo Rigorous Imprisonment for 6 months and to pay fine Rs.10,000/- (Rupees Ten thousand) in default Simple Imprisonment for 1 month. (ii) Accused 3 is found guilty and convicted under Section 420 IPC (3 counts) and sentenced to undergo Rigorous Imprisonment for 3 years for each count and Accused 2 is ordered to pay compensation of Rs.1.50 Crores (Rupees One Crore and fifty lakhs only) to the Indian Overseas Bank, Koyambedu Branch u/s.357 (3) of Cr.P.C. within one month in default Simple Imprisonment for 18 months. (iii) Accused 3 found guilty and convicted u/s.468 IPC (4 counts) and sentenced to undergo



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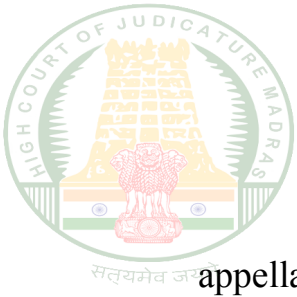
Rigorous Imprisonment for 2 years for each count and to pay a fine of Rs.50,000/- (Rupees Fifty thousand only) in default Simple imprisonment for 2 months for each count. (iv) Accused 3 is found guilty and convicted u/s. 467 IPC (3 counts) and sentenced to undergo rigorous imprisonment for 2 years for each count and to pay a fine of Rs.50,000/(Rupees Fifty thousand only) in default simple imprisonment for 2 months for each count. (v) Accused 3 is found guilty and convicted u/s.465 IPC (4 counts) and sentenced to undergo rigorous imprisonment for 2 years for each count and to pay a sum of Rs.50,000/(Rupees fifty thousand only) in default simple imprisonment for 2 months for each count (vi) Accused 3 is found guilty and convicted u/s 471 r/w 468 IPC (4 counts) and sentence to undergo rigorous imprisonment for 2 years for each count and to pay a fine of Rs.50,000/(Rupees Fifty thousand only) in default simple imprisonment for 2 months for each count. (vii) Accused 3 is found guilty and convicted u/s 201 IPC and sentenced to undergo rigorous imprisonment for 6 months and to pay a fine of Rs.10,000/- (Rupees Ten thousand only) in default simple imprisonment for 1 month on the file of the Learned XII Additional Special Sessions Judge for CBI Cases FAC XI Additional Special Sessions Judge for CBI Cases (Relating to Bank and Financial Institutions) Chennai -600 001.

For Appellant : Mr.A.G.Rajakumar

For Respondent : Mr.K.Srinivasan,
Special Public Prosecutor
(CBI Cases)

JUDGMENT

When the matter is taken up for hearing, it is represented that the



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appellant, Franklin Samuel Raj @ Toney @ Andrew Marshall, has already since passed away and the matter, along with the death certificate, had already been reported before the P.M.L.A Court which also recorded the said fact.

2. The learned Special Public Prosecutor also submits that the said appellant has since passed away.

3. Since nobody else come forward to conduct the Criminal Appeal on behalf of the deceased appellant, this Criminal Appeal is dismissed as having abated.

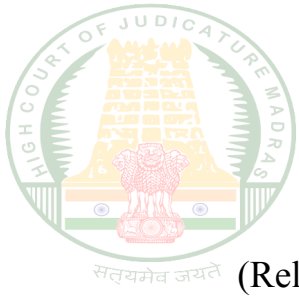
04.07.2025

Neutral Citation : no
grs

To

1. The XII Additional Special Sessions Judge for CBI Cases,
FAC XI Additional Special Sessions Judge for CBI Cases

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Chennai -600 001.

2. The Inspector of Police,
C.B.I./EOW/Chennai.
3. The Public Prosecutor,
High Court of Madras..



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D.BHARATHA CHAKRAVARTHY, J.

grs

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