



Crl.A.(MD)No.361 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.A.(MD)No.361 of 2017

N.Chidambaranathan

... Appellant

versus

State rep. By the Inspector of Police,
Vigilance and Anti-Corruption,
Madurai.

... Respondent

Appeal filed under Section 374 of Code of Criminal Procedure, to call for the records and set aside the conviction and sentence passed in Spl. Case No.17 of 2011 dated 31.08.2017 by the learned Special Judge for trial of Prevention of Corruption Act Cases, Madurai.

For Appellant : M/s.V.Muthu Kamatchi

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

JUDGMENT

This appeal is filed as against the Judgment of conviction passed by the Special Court for trial of Prevention of Corruption Act Cases, Madurai,



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in Spl. Case No.17 of 2011 dated 31.08.2017.

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2. The appellant was charged for the offences under Sections 7, 13(1) (d) r/w. Section 13(2) of Prevention of Corruption Act. The trial Court, in conclusion of trial, found the appellant guilty and sentenced him to undergo two years simple imprisonment with fine of Rs.2,500/- for each offence. As against the Judgment of conviction, this appeal was filed by the appellant in the year 2017.

3. This Court, while entertaining the appeal, suspended the sentence by order dated 12.09.2017 and the appellant was released on bail with condition that he shall appear before the trial Court on the first working day of every English Calender month at 10.30 a.m. till the disposal of the appeal.

4. When this appeal was taken up for hearing on 05.08.2024, the learned counsel appearing for the appellant submitted that he could not contact his client. Therefore, this Court, by order dated 05.08.2024, called for a report from the Special Court for Trial of Cases under Prevention of



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Corruption Act Cases, Madurai, as to whether the appellant is complying with the condition as directed by this Court, in its order dated 12.09.2017.

5. Pursuant to the order of this Court dated 05.08.2024, the learned Special Judge filed a report on 01.10.2024 that the appellant died on 02.09.2024. A copy of the death certificate was produced before this Court, by the respondent/Vigilance and Anti-Corruption Department, Madurai. Based on the report, this Court permitted the counsel for the appellant to file necessary application for impleading the legal heirs, if they are interested to prosecute the appeal.

6. Though this appeal was adjourned twice on 10.09.2024 and on 21.10.2024 for impleading the legal heirs, the learned counsel for the appellant has not taken any steps to implead the legal heirs of the appellant till date. Therefore, this Court is not inclined to grant further time to implead the legal heirs of the appellant. Further, the legal heirs of the appellant have not shown any interest to prosecute the appeal.



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7. In view of the above, this Criminal Appeal is closed as charges abated. The legal heirs of the appellant are at liberty to revive this appeal by filing necessary application before this Court within a period of four weeks from the date of receipt of a copy of this order.

03.02.2025

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The Special Court for trial of
Prevention of Corruption Act Cases,
Madurai.
2. The Inspector of Police,
Vigilance and Anti-Corruption,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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