



Crl.M.P.No.5127 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.M.P.No.5127 of 2026
in Crl.A.No.306 of 2026

1. N.Rajendran
2. M.Amirtham
3. A.H.Abdulkalam
4. M.Ayyasamy

... Petitioners

Vs.

The State represented by,
The Superintendent of Police,
CBI/ACB/Chennai.

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, to suspend the sentence of imprisonment passed by the learned XI Additional Special Judge for CBI Cases relating to Banks and Financial Institutions, Chennai, in C.C.No.52 of 2011 dated 03.03.2026 and release the petitioners/accused 9, 10, 12 & 14 on bail pending disposal of the criminal appeal.

For Petitioners : Mr.T.Sivananthan
Assisted by Ms.M.Anitha

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

ORDER

This Criminal Miscellaneous Petition has been filed seeking suspension of sentence of imprisonment, imposed by the learned XI



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Additional Special Judge for CBI Cases relating to Banks and Financial Institutions, Chennai, in C.C.No.52 of 2011, vide judgment dated 03.03.2026.

2. The conviction and sentence imposed against the petitioners/appellants, vide impugned judgment are as follows:-

<i>Under Section</i>	<i>Sentence</i>
120B r/w 420 IPC and under Section 13(2) r/w 13(1)(d) of the Prevention of Corruption Act	one year of rigorous imprisonment and a fine of Rs.1,000/-, in default, to undergo three months simple imprisonment.
420 of IPC	one year of rigorous imprisonment and a fine of Rs.1,000/-, in default, to undergo three months simple imprisonment.
The sentences shall run concurrently.	

3. The submissions of the learned counsel appearing for the petitioners/appellants are as follows:-

3.1. The petitioners/appellants are innocent and they are arrayed respectively as A9, A10, A12 and A14 in C.C.No.52 of 2011.

3.2. There are arguable points available in the Criminal Appeal, which is unlikely to be taken up for final hearing in the near future and the petitioners/appellants have a fair chance of succeeding in the appeal.



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3.3. The fine amount has been paid by the petitioners/appellants and that the trial Court, while convicting the accused, suspended the sentence in respect of accused A10 and A14 till 02.04.2026.

3.4. Since accused 9 and 12 were unable to appear before the trial Court on the date of judgment, the trial Court had issued a Non-Bailable Warrant against them. Pursuant to the same, A9 and A12 surrendered before the trial Court and they have been still in custody from 05.03.2026 and 09.03.2026 respectively. Hence, the sentence imposed on the petitioners/appellants may be suspended and they may be enlarged on bail.

4. Learned Special Public Prosecutor (CBI) appearing for the respondent opposed for grant of suspension of sentence stating that the trial Court, after taking into consideration the oral and documentary evidence produced by the prosecution, rightly found the petitioners/appellants guilty and convicted and sentenced them, as stated above.

5. Heard the learned counsel for the petitioners/appellants and Government Advocate (Crl.Side) appearing for the respondent and perused the materials on record.



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6. Considering the facts and circumstances of the case and also the submissions made by the learned counsel on either side, this Court is inclined to suspend the sentence of imprisonment imposed on the petitioners. Accordingly, till the disposal of the appeal, suspension of sentence is granted to the petitioners, subject to the following conditions:-

“(i) The petitioners/appellants are ordered to be enlarged on bail, on condition that they shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties, each for a like sum to the satisfaction of the learned XI Additional Special Judge for CBI Cases relating to Banks and Financial Institutions, Chennai;

(ii) The petitioners/appellants shall appear before the trial Court on the first working day of every English calendar month at 10.30 a.m., until further orders.”

7. It is made clear that in the event of the petitioners/appellants not being able to appear before the trial Court concerned on the specified date, they shall be duly represented by their counsel, who shall file an application under Section 317 Cr.P.C before the trial Court concerned and the petitioners/appellants shall appear before the trial Court on such other date(s) as directed by the trial Court.



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8. Accordingly, the Criminal Miscellaneous Petition stands ordered.

18.03.2026

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To

1. The Sessions Judge,
XI Additional Special Judge for CBI Cases
relating to Banks and Financial Institutions,
Chennai.
2. The Superintendent of Police,
CBI/ACB/Chennai.
3. The Superintendent,
Central Prison-1,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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***18.03.2026
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