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Crl.M.P.No.6682 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2026

CORAM:

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

Crl.M.P.No.6682 of 2026

in

Crl.A.No.444 of 2026

1. R.Prakash

2. K.Annasamy

...Petitioners

Vs.

State rep. by,
The Inspector of Police,
CBI, ACB, Chennai.

...Respondent

Criminal Miscellaneous Petition is filed under Section 430(1) of the Bharatiya Nagarik Suraksha Sanhita, seeking to suspend the sentence of one year of rigorous imprisonment each u/s.120B r/w. 420 IPC and u/s. 13(2) r/w. 13(1)(d) of PC Act, 1988 and u/s. 420 IPC (Total RI: 2x1 = 2 years) imposed on the each petitioners by the learned XI Additional Special Judge for CBI case at Chennai in C.C.No.50 of 2011 dated 27.02.2026 and enlarge the petitioners on bail pending disposal of the criminal appeal in C.A.No.444 of 2026 on the file of this Court.

For Petitioners : Mr.R.Karthikeyan

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

**ORDER**

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This criminal miscellaneous petition has been filed seeking suspension of sentences of imprisonment, imposed by the learned XI Additional Special Judge for CBI Cases relating to Banks and Financial Institutions, Chennai, in C.C.No.50 of 2011, vide judgment dated 27.02.2026.

2. The conviction and sentence imposed on the petitioners (A2 & A4), vide impugned judgment are as follows:-

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

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

3.1. The petitioners are innocent and they have been arrayed as A2 & A4 in C.C.No.50 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 have a fair chance of succeeding in the appeal.

3.3. The fine amount ordered by the trial Court has been paid by the petitioners and that the trial Court, suspended the sentences imposed on the petitioners till 26.03.2026.

3.4 This Court, in a case involving the offences of similar nature, vide order dated 07.04.2026 made in Crl.M.P.No.6200 of 2026 in Crl.A.No.415 of 2026, suspended the sentence imposed on the accused. Hence, the sentences imposed on the petitioners also may be suspended.

4. Learned Special Public Prosecutor appearing for the respondent opposed for suspension of sentences imposed on the petitioners stating that the petitioners, in collusion with other accused, by forging and falsifying the documents, cheated the bank and caused a huge financial loss. He further submitted that the trial Court, after taking into consideration the oral and documentary evidence produced by the prosecution, rightly found the petitioners guilty and convicted and sentenced them, as stated above, which cannot be said to be erroneous.

5. Heard both sides 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, the relief of suspension of sentence is granted to the petitioners, subject to the following conditions:-

“(i) The petitioners 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 XI Additional Special Judge for CBI Cases relating to Banks and Financial Institutions, Chennai;

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

(iii) In the event of the petitioners not being able to appear before the trial Court 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 and the petitioners shall appear before the trial Court on such other date(s) as directed by the trial Court.”



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7. Accordingly, this criminal miscellaneous petition stands ordered.

16.04.2026
(2/2)

skt

To:

1. The XI Additional Special Judge for CBI Cases relating to Banks and Financial Institutions, Chennai.
2. The Inspector of Police, CBI, ACB, Chennai.
3. The Public Prosecutor, High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

skt

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