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*Crl.M.P.No.15996 of 2025
in Crl.A.No. 442 of 2023*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2026

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No. 15996 of 2025
in
Crl.A.No.442 of 2023

K.Mohanraj

Vs.

...Petitioner

1. State Rep by

Inspector of Police,

SPE, CBI, EOW, Chennai

in RC 12(E)/2011 CBI/EOW

2. The District Revenue Officer (DRO),

TiruppuR.

(R2 is suo motto impleaded as per the order of this Court

dated 08.10.2025 in Crl.A.No.442 of 2023 and

Crl.M.P.Nos.15996 and 7539 of 2024)

... Respondents

PRAYER: Criminal Miscellaneous Petition filed under Section 389(1) of Cr.P.C., to suspend the sentence of imprisonment imposed on the judgement dated 26.08.2022 in C.C.No.09 of 2011 on the file of the learned Special Judge, Special Court under TNPID Act, Coimbatore and enlarge me on bail.



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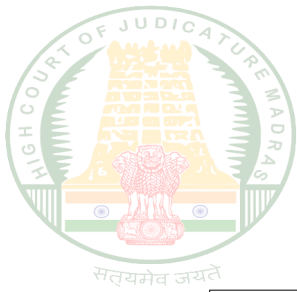
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in Crl.A.No. 442 of 2023*

For Petitioner : Mr. V. Parthiban
for Mr.K.Sakthivel
For Respondents : Mr.K.Srinivasan
Special Public Prosecutor (CBI Cases)

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Special Judge, Special Court under TNPID Act, Coimbatore , in C.C.No.09 of 2011 dated 26.08.2022, and enlarge the petitioner on bail pending disposal of the above appeal.

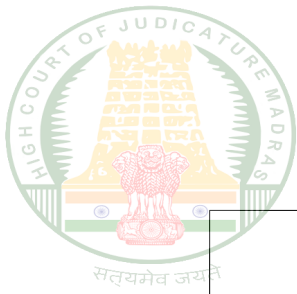
2. The petitioner herein are the accused in C.C.No.09 of 2011 of 26.08.2022 on the file of the learned Special Judge, Special Court under TNPID Act, Coimbatore. He was found guilty of the offences under Sections 120(B) read with Section 420 of IPC, Section 4 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1968 and Section 5 of Tamil Nadu Protection of Interests of Depositors (In Financial Establishments) Act, 1997 (TNPID Act) and he has been convicted and sentenced as under:



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Accused	Conviction	Sentence
A1	Section 120B read with Section 420 of IPC	To undergo 7 years RI and each to pay a fine of Rs.1,00,000/- (Rs.1,00,000/- * 2 accused * 1402 counts = Rs.28,04,00,000/-), i/d of payment of fine, to undergo further 1½ years RI for each counts.
	Section 420 of IPC	To undergo 7 years RI and each to pay a fine of Rs.1,00,000/- (Rs.1,00,000/- * 2 accused * 1402 counts = Rs.28,04,00,000/-), i/d of payment of fine, to undergo further 1½ years RI for each counts.
	Section 4 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1968	To undergo 3 year RI and each to pay fine of Rs.5,000/- (Rs.5,000/- x 2 accused x 1402 counts = Rs.1,40,20,000/-) i/d of payment of fine to undergo further 1 year RI for each counts
	Section 5 of T.N.P Act, 1997	To undergo 10 year RI and each to pay fine of Rs.1,00,000/- (1,00,000/- x 2 accused



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		x 1402 counts = Rs.28,04,00,000/-) i/d of payment of fine to undergo further 2 year RI for each counts.
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Aggrieved by the same, the petitioner have filed this appeal along with the present miscellaneous petition.

3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Appeal and the petitioner/accused have got a fair chance of succeeding in the Criminal Appeal and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He would submit that the petitioner is ready to abide the condition imposed by this Court.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing this petition. Further, he would contend that the evidences recorded from the prosecution witnesses would prove the case of the prosecution beyond reasonable doubt. According to him, interference of this Court is not necessary in the findings arrived at by the trial Court.



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5. Heard the learned counsel appearing on either side and also perused the materials placed on record.

6. Considering the facts and circumstances of the case coupled with the quantum of punishment imposed upon the petitioner, also by considering the submissions of the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police, further this criminal appeal is not likely to be taken for final hearing in the near future, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions.

7. Accordingly, till the disposal of the Criminal Appeal, the substantive sentence of imprisonment imposed by the learned trial Judge is alone suspended and bail are granted on the following conditions:

(a) The petitioner/accused are ordered to be released on bail, on their executing a separate bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Special Judge, Special Court under TNPIC Act, Coimbatore.



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(b) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Pass Books to ensure their identities.

(c) The petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the Criminal Appeal and if there are not able to appear before the trial Court on any day, they shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

(d) The petitioner after coming out on bail shall deposit a sum of Rs.1 Crore to the credit of C.C.No.9 of 2011 on 17.08.2026, failing which, suspension of sentence granted herein shall stands automatically vacated and the petitioner shall surrender before the Superintendent of Prison, Central Prison, Coimbatore.

8. With the above directions, this Criminal Miscellaneous Petition is ordered.

05.06.2026
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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order



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G.K.ILANTHIRAIYAN, J.

To

1. Special Judge, Special Court under TNPIC Act, Coimbatore
2. Inspector of Police,
SPE, CBI, EOW, Chennai
3. The District Revenue Officer (DRO),
TiruppuR.
4. The Public Prosecutor,
Madras High Court,
Chennai.

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