

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s) . 42897/2023

J. SHANMUGAM

Petitioner(s)

VERSUS

THE STATE REPRESENTED

BY THE INSPECTOR OF POLICE CBI ACB

Respondent(s)

(FOR ADMISSION and I.R. and IA No.218874/2023-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT and IA No.218873/2023-EXEMPTION FROM
SURRENDERING WITHIN TIME)

Date : 30-10-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KAROL
[IN CHAMBER]

For Petitioner(s) Mr. Prashant Pandey, Adv.
 Mr. Parijat Kishore, AOR
 Mr. Atul Dong, Adv.
 Mr. Vipul K., Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

IA No.218873/2023-EXEMPTION FROM SURRENDERING

The learned counsel for the petitioner submits that the petitioner was convicted for having committing offences under Section 13(2) read with Section (1)(d) of the Prevention of Corruption Act. The trial Court directed the petitioner to suffer imprisonment for a period of one year. The judgment of conviction and sentence stands affirmed by the High Court.

The learned counsel further submitted that during the pendency of the appeal petitioner was on bail and all throughout, he does not have any ill and criminal antecedents. It was further

submitted that petitioner is under ailment and his wife is also suffering from critical ailments and no one in the family is available to aid her.

Petitioner has an arguably good case and in all likelihood the judgement of conviction is to be reversed as the Courts below, erred in correctly and completely appreciating the material placed on record, leading to findings which are not only erroneous but perverse.

Having given thoughtful consideration of all the attending facts and circumstances, the application seeking exemption from surrendering is allowed.

(NEETA SAPRA)
COURT MASTER (SH)

(MAMTA RAWAT)
COURT MASTER (NSH)