

ITEM NO.1713

COURT NO.4

SECTION II-C

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 46931/2023

S. BALASUNDARAM

Petitioner(s)

VERSUS

STATE REP. BY, THE INSPECTOR OF POLICE Respondent(s)  
(IA No.254408/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT and IA No.254411/2023-EXEMPTION FROM FILING O.T. and IA  
No.254406/2023-EXEMPTION FROM SURRENDERING WITHIN TIME)

WITH

Diary No(s). 47474/2023 (II-C)  
(IA No.255558/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT and IA No.255560/2023-EXEMPTION FROM FILING O.T. and IA  
No.255553/2023-EXEMPTION FROM SURRENDERING WITHIN TIME)

Diary No(s). 47240/2023 (II-C)  
(IA No.255788/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT and IA No.255790/2023-EXEMPTION FROM FILING O.T. and IA  
No.255791/2023-EXEMPTION FROM SURRENDERING WITHIN TIME)

Date : 15-12-2023 These applications were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPANKAR DATTA  
[IN CHAMBER]

For Petitioner(s) Mr. S. Nagamuthu, Sr. Adv.  
Mr. M.P. Parthiban, AOR  
Ms. Priyaranjani Nagamuthu, Adv.  
Mr. R. Sudhakaran, Adv.  
Mr. T. Hari Hara Sudhan, Adv.  
Ms. Shalini Mishra, Adv.  
Mr. Bilal Mansoor, Adv.  
Mr. Shreyas Kaushal, Adv.

For Respondent(s)

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

IA No.254406/2023-EXEMPTION FROM SURRENDERING WITHIN  
TIME IN Diary No(s). 46931/2023

1. This is an application seeking exemption from  
surrendering. The applicant has been convicted for

offence punishable under Section 13(1)(a) read with Section 7 of the Prevention of Corruption Act and Section 409 of the Indian Penal Code and sentenced to 2 years imprisonment with a fine of Rs.3000/-.

2. Having heard Mr. S. Nagamuthu, learned senior counsel for the applicant and on consideration of the defence taken by the applicant before the Courts below, drawing support from the evidence of the PW-2, this Court is of the view that the applicant is entitled to the relief as claimed.

3. The application, accordingly, stands allowed.

4. Place the Special Leave Petition before an appropriate Bench in due course.

IA No.255553/2023-EXEMPTION FROM SURRENDERING WITHIN TIME IN Diary No(s). 47474/2023  
IA No.255791/2023-EXEMPTION FROM SURRENDERING WITHIN TIME IN Diary No(s). 47240/2023

1. The above order in IA No.254406/2023 in Diary No.46931/2023 shall also govern these two applications.

2. The applications, accordingly, stand allowed.

3. Place the Special Leave Petitions before an appropriate Bench in due course.

(ASHA SUNDRIYAL)  
ASTT. REGISTRAR-cum-PS

(RAVINDER KUMAR)  
BRANCH OFFICER