

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

Petition(s) for Special Leave to Appeal (Crl) No(s).7607/2009

(From the judgement and order dated 23/06/2009 in
of The HIGH COURT OF MADRAS)

CRLA No. 1181/2003

G.VAITHIYANATHAN

Petitioner(s)

VERSUS

STATE TR.INSP.OF POLICE

Respondent(s)

(With appln(s) for bail and stay and office report)

Date: 26/03/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. S. Aravindh, Adv.
Mr. Rakesh K. Sharma, Adv.

For Respondent(s) Mr. R. Sunmugasundaram, Sr. Adv.
Mr. S. Thananjayan, Adv.

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

Leave granted.

While upholding the conviction of the appellant
under Sections 7 and 13(2) read with Section 13(1)(d) of
the Prevention of Corruption Act, 1988 the sentence
imposed upno the appellant is reduced to a period of one
year and the sentence of fine is maintained.

The appeal stands disposed of in terms of the
signed order.

(Indu Satija)
Court Master

(Ajay Kr. Jain)
AR-cum-PS

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 631 OF 2010
(Arising out of SLP(Crl.) No. 7607 of 2009)

G. Vaithiyathan Appellant

Versus

State Thru. Inspector of Police Respondent

O R D E R

Heard learned counsel for the parties.

Leave granted.

This appeal is directed against the judgment and order dated 23.06.2009 of the High Court of Madras whereby the appeal of the appellant has been dismissed and the conviction and sentence dated 28.07.2003 passed by the Chief Judicial Magistrate, Pudukkottai has been confirmed.

The appellant-accused was convicted under Section 7 of the Prevention of Corruption Act, 1988 and sentenced to undergo RI for one year and to pay a fine of Rs.1,000/- and in default to undergo RI for three months. The appellant-accused was also convicted under Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption act, 1988 and sentenced to undergo RI for two years and to pay a fine of Rs.1,000/- and in default to undergo RI for three months. The substantive sentences were directed to run concurrently.

This Court vide order dated 23.10.2009 issued notice limited to the quantum of sentence only.

Having heard learned counsel for the parties and having regard to the facts of the present case, we are of the opinion that the ends of justice will be met if while upholding the conviction of the appellant under Sections 7 and 13(2) read with Section 13(1)(d) of the Prevention of Corruption act, 1988 the sentence imposed upon the appellant is reduced to a period of one year and the sentence of fine is maintained. We order accordingly.

With the above observations, the appeal stands disposed of.

.....J.
(MARKANDEY KATJU)

.....J.

(A.K. PATNAIK)

NEW DELHI ;
MARCH 26, 2010