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SLP(Crl.)No. 7335 OF 2001
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IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

Criminal Appeal No. 322 of 2002@@
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arising out of
Special Leave Petition (Crl) No.7335 of 2001@@
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Moula & Anr. ...Appellant (s)

Versus

State of Karnataka ...Respondent(s)

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Though there has been a circulation for adjournment, but having regard to the fact that an application for bail has been filed by the appellants and the liberty of the persons concerned is involved, we are not inclined to adjourn this matter.

Heard Mr. Hegde, the learned counsel appearing for the State of Karnataka.

Leave granted.

The appellants have been convicted under Section 7, 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act,1988 and have been sentenced to a period of one year. Against the said conviction, an appeal has been filed and while the appeal is pending, application for suspension of sentence having been rejected, the appellants have approached this Court. We really fail to understand as to why the High Court did not suspend the sentence particularly when the sentence is one year. The appeal would be rendered ...2

infructuous if the appellants are not granted bail during the pendency of the appeal. We, therefore, allow this appeal and direct that the appellants shall be released on bail to the satisfaction of learned Principal Sessions Judge, Raichur, Karnataka.

The appeal stands disposed of accordingly.

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(G.B. PATTANAIAK)@@
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New Delhi;
March 01, 2002.

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(BRIJESH KUMAR)@@
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ITEM No.202

Court No. 3

SECTION II
A/N MATTER

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. 7335/2001
(From the judgement and order dated 21/11/2001 in CRLA 1410/2000
of The HIGH COURT OF KARNATAKA AT BANGALORE)

MOULA & ANR.

Petitioner (s)

VERSUS

STATE OF KARNATAKA

Respondent (s)

(With Appln(s). for bail)
(For Final Disposal)
(With Office Report)

Date : 01/03/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIK
HON'BLE MR. JUSTICE BRIJESH KUMAR

For Petitioner (s) Mr. C. Paramasivam, Adv. for
Mr. Rakesh K. Sharma, Adv.

For Respondent (s) Mr. Sanjay R. Hegde, Adv.
Mr. Satya Mitra, Adv.

UPON hearing counsel the Court made the following
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Heard learned counsel for the State for a few minutes.
Leave granted.
Appeal is disposed of in terms of the signed order.

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(J.S. Rawat)
Court Master

(Suneet Bala Sharma)
Court Master

(Signed order is placed on the file)