

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

Petition(s) for Special Leave to Appeal (Crl) No(s).7620 /2008

(From the judgement and order dated 29/09 / 2 005 in CRL A No. 653/2000 of The
H I G H C O U R T O F A . P A T H Y D E R A B A D)

C H . R A D H A K R I S H N A M U R T H Y Petitioner(s)

V E R S U S

S T A T E O F A . P . Respondent(s)

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

W I T H S L P (C r l) N O . 7 7 4 8 o f 2 0 0 8
(With appln. for bail)
S L P (C r l) N O . 7 8 1 4 o f 2 0 0 8
(With appln. for bail and with office report)
S L P (C r l) N O . 8 2 8 2 o f 2 0 0 8
(With appln. for bail)

Date: 20/03 / 2 0 0 9 This Petition was called on for hearing today.

C O R A M :
H O N ' B L E D r . J U S T I C E A R I J I T P A S A Y A T
H O N ' B L E M R . J U S T I C E A S O K K U M A R G A N G U L Y

For Petitioner(s) Mr. V.Sridhaar Reddy, Adv.
Mr. V.N. Raghupathy, Adv.

For Respondent(s) Mr. B.Dutta, ASG,
Mr. AtulSharma, Adv.
MS.Sandhya Goswami, Adv.
Mr. B. Krishna Prasad, Adv.

Mrs.D. Bharathi Reddy, adv.

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

Leave granted.
The appeals are allowed in terms of the signed order.
(Shashi Sareen) (Shashi Bala Vij)
Court Master Court Master
(signed order is placed on the file)

I N T H E S U P R E M E C O U R T O F I N D I A
C R I M I N A L A P P E L L A T E J U R I S D I C T I O N

C R I M I N A L A P P E A L N o . O F 2 0 0 9
(Arising out of SL P(Crl.) No. 7620 of 2008)

C H . R A D H A K R I S H N A M U R T H Y ... Appellant(s)

Versus

S T A T E O F A . P Respondent(s)

With Crl. A.No...../2009 @ SL P(Crl.) No. 7748 /2008

Crl. A. No...../2009 @ SL P(Crl.)No. 7814 /2008

Crl. A. No...../2009 @ SL P(Crl.) No. 8282 /2008

O R D E R

Heard.

Leave granted.

Notice was issued limited to the question of sentence. It is on record that the appellant has suffered custody for more than one year. Minimum sentence in respect of offence punishable under Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988 (in short 'Act") is one year. But there are other offences under I PC with which the petitioner was charged. Considering the period of sentence already undergone we direct that the sentence shall be the period already undergone, while upholding the conviction. The appellant

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shall be released from custody forthwith unless required to be in custody in any other case.

The appeals are allowed to the aforesaid extent.

.....J.
 (Dr. AR I J I T PAS A Y A T)

.....J.
 ((ASO K KU M A R GANGUL Y)

New Delhi,
 March 20, 2009.