



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Thursday, the Second day of July Two Thousand and Twenty

PRESENT

The Hon'ble Dr.Justice G.JAYACHANDRAN

CRL MP(MD) No.3361 of 2020

IN

CRL A(MD) No.206 of 2020

VICTOR DHARMARAJ

... APPELLANT/ACCUSED NO.1

Vs

THE STATE REP. BY  
THE INSPECTOR OF POLICE,  
VIGILANCE AND ANTI CORRUPTION,  
TIRUNELVELI DISTRICT.  
(CRIME NO.7/2008)

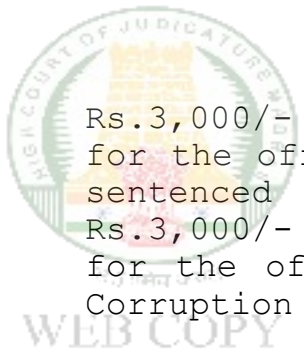
... RESPONDENT/COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence and grant bail to the Appellant/1st Accused against the judgment dated 16.06.2020 in Special Case No.48/2014 on the file of the Special Court for Trial of Cases under the Prevention of Corruption Act, Tirunelveli in Crime No.7/2008 on the file the Respondent Police pending disposal of the instant Criminal appeal on such terms and conditions as may be deemed fit and thus render justice.

**Order :** This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S T.LAJAPATHI ROY, Advocate for the petitioner and of MR.S.CHANDRASEKAR, Additional Public Prosecutor on behalf of the Respondent, while admitting the criminal appeal, the court made the following order:-

Heard the learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor appearing for the second respondent.

2. The petitioner herein being the public servant was convicted by the Special Court for Trial of Cases under Prevention of Corruption Act, Tirunelveli, in Special Case No.48 of 2014, for the offences under Section 7, 13(2) r/w 13(1)(d) of PC Act, 1988. The Special Court has imposed one year simple imprisonment and fine of



Rs.3,000/- in default to undergo simple imprisonment for 6 months for the offence under Section 7 of Prevention of Corruption Act and sentenced to undergo one year simple imprisonment and fine of Rs.3,000/- in default to undergo simple imprisonment for 6 months, for the offence under Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act. The above sentences shall run concurrently.

3. Aggrieved by the judgment of conviction and the sentence, the present appeal is preferred. The petitioner seeks suspension of sentence on the ground that there are arguable points for consideration. It is alleged in the counter that the prosecution has failed to prove the trap proceedings in the manner known to law.

4. This Court finds materials to admit the appeal. Therefore, the substantive sentence of imprisonment imposed on the petitioner alone is suspended on the following conditions:-

(i) The petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with two sureties each for a like sum to the satisfaction of the Special Court for Trial of Cases under the Prevention of Corruption Act, Tirunelveli District.

(ii) The petitioner shall report before the Special Court for Trial of Cases under the Prevention of Corruption Act, Tirunelveli District, on the first working day of every English calendar month at 10.30 a.m., pending disposal of the appeal.

sd/-  
02/07/2020

/ TRUE COPY /

/ /2020

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

**Note :** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDGE,  
SPECIAL COURT FOR TRIAL OF CASES UNDER THE  
PREVENTION OF CORRUPTION ACT,  
TIRUNELVELI DISTRICT.

<https://hcservices.tn.gov.in/web-services/>



2. THE INSPECTOR OF POLICE,  
VIGILANCE AND ANTI CORRUPTION,  
TIRUNELVELI DISTRICT.

3. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER

IN

CRL MP(MD) No.3361 of 2020 IN

CRL A(MD) No.206 of 2020

Date :02/07/2020

SJI

SRS/ VR/ SAR-II/ 02.07.2020/ 3P/4C