



WEB COPY



Crl.M.P.No.10130 of 2023

in

Crl.A.No.476 of 2023

Dr.G.JAYACHANDRAN, J.

This Criminal Appeal is directed against the order of conviction under Sections 7 and 13(2) r/w.13(1)(d) of Prevention of Corruption Act.

2. The trial Court, after considering the evidence let in by the prosecution, had convicted the accused for receiving the bribe of Rs.15,000/- to give solvency certificate. The sentenced to undergo 3 years Rigorous Imprisonment and to pay a fine of Rs.20,000/-, in default to undergo 3 months Simple Imprisonment for each of the offences is sought to be suspended in the petition.

3. The learned counsel appearing for the petitioner submits that the money was not recovered from the petitioner, but from the Village Administrative Officer. The petitioner being a woman and have good chance of acquittal, the sentence may be suspended.



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rpl

4. The trial Court after considering the evidence has convicted the petitioner holding that the money recovered from VAO was given to VAO at the instance of the petitioner/Tahsildar. Further, the search of the residence of the petitioner also led to recovery of unaccounted amount of Rs.60,500/-. Hence this Court is of the opinion that the suspension of sentence is not appropriate at this juncture. Hence the petition for suspension of sentence is dismissed.

5. However, if the appeal is not taken up for final disposal within six months, the appellant can revive his plea after six months.

rpl

19.07.2023

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Crl.M.P.No.10130 of 2023

in

Crl.A.No.746 of 2023