



Crl.M.P(MD).No.4465 of 2024 in

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Thursday, the Eighteenth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

Crl.M.P(MD).No.4465 of 2024  
in  
Crl.A(MD)No.339 of 2024

JANAKARAJAN

... APPELLANT/ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE  
VIGILANCE AND ANTI CORRUPTION WING,  
TIRUCHIRAPPALLI.  
(CRIME NO.7/2005).

... RESPONDENT/COMPLAINANT

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence of imprisonment passed in Spl.Case No.90/2011 on the file of the Learned Spl. Judge for Trial of cases under the Prevention of Corruption Act, Tiruchirappalli dated 28/3/2024 and enlarge the petitioner on bail till the disposal of the Criminal Appeal.

Prayer in Crl.A(MD)No.339 of 2024:

To call for the records and set aside the order of conviction and sentence passed in Spl.Case No.90 of 2011 dated 28.03.2024 on the file of the Special Court for Trial of cases under Prevention of Corruption Act, Trichirappalli and allow this appeal and acquit the appellant from the charge leveled against him.

Order : This Criminal Miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments



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of MR.V.MUTHU KAMATCHI, Advocate for the petitioner and of MR.S.RAVI, Additional Public Prosecutor, on behalf of the Respondent, while admitting the Criminal Appeal, the court made the following order:-

This Criminal Miscellaneous Petition has been filed by the petitioner/appellant, seeking suspension of sentence of imprisonment, imposed by the Special Judge for trial of cases under Prevention of Corruption of Act, Tiruchirappalli vide judgment in Speical.Case.No.90 of 2011, dated 28.03.2024 and to enlarge the petitioner/appellant on bail.

2. The conviction and sentence imposed against the petitioner / appellant is as follows:-

| Under Section                                                       | Sentence                                                                                                                                                   |
|---------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Section 7 of Prevention of Corruption Act, 1988                     | Rigorous imprisonment for one year to pay a fine of Rs.10,000/- in d/f to undergo six months Simple Imprisonment.                                          |
| Sections 13(2) r/w. 13(1) (d) of Prevention of Corruption Act, 1988 | Rigorous imprisonment for 3 years to pay a fine of Rs.10,000/- in default to undergo six months Simple Imprisonment and the sentence will run concurrently |



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3. The learned counsel for the petitioner / appellant would submit that there are arguable points available in the Criminal Appeal, which is not likely to be taken for final hearing in the near future and the petitioner/appellant, have got a fair chance of succeeding in the Criminal Appeal and the sentence imposed against the petitioner/appellant, may be suspended and he may be enlarged on bail. He would further submit that the trial Court has suspended the sentence till 26.04.2024 and that the petitioner has already paid the fine amount before the trial Court.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the prosecution has proved the case beyond reasonable doubts and the trial Court on finding the petitioner / appellant guilty convicted him as stated above. Therefore, he vehemently oppose for grant of suspension of sentence.

5. Heard the learned counsel for the petitioner / appellant and the learned Additional Public Prosecutor appearing for the respondent and perused the materials on record.

6. Considering the facts and circumstances of the case and also considering the submissions of the learned counsel for the petitioner / appellant, this Court is of the



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view that the sentence of imprisonment can be suspended on certain conditions.

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Accordingly, till the disposal of the Criminal Appeal, suspension of sentence and bail are granted, on the following conditions :-

(i) The petitioner / appellant shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Special Judge for Trial of cases under the Prevention of Corruption Act, Tiruchirappalli;

(ii) The petitioner / appellant shall appear before the concerned trial Court on the first working day of every English Calendar month at 10.30 a.m., until further orders;

7. The Criminal Miscellaneous Petition is ordered accordingly.

sd/-  
18/04/2024

/ TRUE COPY /

/04/2024

Sub-Assistant Registrar (CS -I/ II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

trp

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TO  
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1.THE SPECIAL JUDGE FOR TRIAL OF CASES UNDER THE PREVENTION OF  
CORRUPTION ACT,  
TIRUCHIRAPPALLI.

2.THE INSPECTOR OF POLICE  
VIGILANCE AND ANTI CORRUPTION WING,  
TIRUCHIRAPPALLI.

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

+1 CC to M/s.V.MUTHUKAMATCHI, Advocate ( SR-4649[I] dated 18/04/2024 )

ORDER  
IN

Crl.M.P(MD).No.4465 of 2024 in  
Crl.A(MD)No.339 of 2024  
Date :18/04/2024

RK/VR (24/04/2024) 5P / 5C

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