



CRL MP NO. 8910 OF 2025
in CRL A No. 415 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL MP NO. 8910 OF 2025

in

CRL A No. 415 of 2025

R.Natarajan
S/o.K.Ramasamy Gounder, Formerly
Assistant Engineer, TamilNadu
Electricity Board (TANGEDCO),
Uthukuli East, Tiruppur District,
Tiruppur. Residing at Door No.1/59,
Soundamman Koil Street,
Punjaipuliyampatti Post,
Sathiyamangamalam Taluk, Erode
District.

Petitioner/Accused

Vs

State represented by
Inspector of Police, Vigilance and
Antici-corruption Wing, Tiruppur,
Tiruppur District. Crime
No.03/2014/AC/TPR

Respondent(s)



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PRAYER: Criminal Miscellaneous Petition filed under Sections 430(1) of BNSS, praying to suspend the sentence imposed on the petitioner by the judgment dated 16.04.2025 made in Special C.C.No.08/2015, on the file of the Chief Judicial Magistrate, Tiruppur and enlarge the petitioner on bail, pending disposal of above appeal.

For Petitioner : Mr.P.Kannan Kumar

For Respondent: Mr.S.Udaya Kumar
Government Advocate (Crl. Side)

ORDER

The petitioner/Accused in Spl.C.C.No.08 of 2015 was convicted by the trial Court by the judgment dated 16.04.2025 and sentenced to undergo three years rigorous imprisonment and to pay a fine of Rs.2,000/-, in default, to undergo one month simple imprisonment, for the offence under Section 7 of the Prevention of Corruption Act (P. C. Act) and sentenced to undergo three years rigorous imprisonment and to pay a fine of Rs.2,000/-, in default, to undergo one month simple imprisonment, for the offences under Sections 13(2) r/w. 13(1)(d) of the P. C. Act. The sentences are directed to run



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concurrently, against which, the petitioner preferred the above appeal along with the instant miscellaneous petition seeking suspension of sentence and bail.

2.The contention of the learned counsel for petitioner is that the petitioner is employed as Assistant Engineer in EB department, Uthukuli, Tiruppur District. The case is projected as though he demanded a bribe amount of Rs.50,000/-, later reduced to Rs.45,000/- and the petitioner accepted to receive the bribe amount in three installments, i.e., Rs.15,000/- per installment. On the date of trap, i.e., on 22.05.2014, the petitioner is said to have received the trap amount from the de-facto complainant/PW2.

According to the petitioner, DW1/Store keeper examined by him to prove the fact that for the industrial electricity connection of PW2 various types of bolt and nuts, stay set, Base plate, Gaurding cross arm, HD fuse unit, 11 KV AB Switch, fixed contact, LT3 phase cross arm angle were not available in the



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stores. Hence, the de-facto complainant was advised to purchase those articles and power connection can be given once these articles are purchased.

The de-facto complainant informed the petitioner that he is not technically qualified to find out the quality of equipments to be purchased, hence, requested the petitioner to purchase articles on behalf of him and handed over money, which was projected as trap amount. These facts not considered by the trial Court. He further submitted that the trial Court had already suspended the sentence of the petitioner by the order dated 16.04.2025 in Crl.M.P.No.1128 of 2025, till 16.05.2025.

3.The learned Government Advocate (Crl. Side) on the other hand submitted that in this case PW2/de-facto complainant sought for an industrial electricity connection and the petitioner being the Assistant Engineer demanded bribe amount of Rs.50,000/-, which was reduced to Rs.45,000/-.

The petitioner agreed to receive the bribe amount in three installments, i.e.,



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Rs.15,000/- per installment. During the first installment trap laid and the petitioner caught red handed, phenolphthalein test confirmed the same. He further submitted that the evidence of EB department is that on that day in the store, the said equipments were not available. It is usual that if equipments not available it is for the concerned parties to purchase the same, not for the EB officials. In this case, the explanation given by the petitioner is not proper. It is only for demand of money. He further submitted that the trial Court already suspended the sentence of the petitioner till 16.05.2025.

4.Considering the submissions made and the fact that the petitioner has raised substantial grounds in the above appeal, which needs re-consideration and also considering the fact that the trial Court already suspended the sentence of the petitioner vide order dated 16.04.2025 in CrI.M.P.No.1128 of 2025, till 16.05.2025, this Court is inclined to grant the relief of suspension of sentence to the petitioner.



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5. Accordingly, the substantive sentence of Imprisonment imposed on the petitioner is suspended till the disposal of the appeal and he is ordered to be enlarged on bail, on condition that he 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 trial Court.

6. Further, the petitioner shall appear before the Trial Court once in three months at 10.30 a.m. on the first working day of the month, until the disposal of the appeal and if he is not able to appear before the Trial Court on that day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the Trial Court on any other day in lieu of the date of his absence as directed by the Trial Court.



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7. Accordingly, this Criminal Miscellaneous Petition is ordered.

28.04.2025
(2/2)

rsi

Note: Issue order copy on 02.05.2025.

To

1. The Chief Judicial Magistrate,
Tiruppur.
2. The Inspector of Police,
Vigilance and Antici-corruption Wing,
Tiruppur, Tiruppur District.
3. The Public Prosecutor,
High Court, Madras.



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M. NIRMAL KUMAR, J.
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