



CRL.M.P.No.10077 of 2025
in CrI.A.No.507 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.05.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMALKUMAR

CRL.M.P.No.10077 of 2025
in CrI.A.No.507 of 2025

P.Kannan

... Petitioner

Vs.

The State rep., by
The Deputy Superintendent of Police,
Vigilance and Anticorruption,
Ariyalur.

... Respondent

Prayer: The miscellaneous petition is filed U/s.430 (1) of BNSS Act, 2023, to suspend the sentence imposed on the petitioner in Special Sessions Case No.1 of 2015 dated 30.04.2025 by the learned Chief Judicial Magistrate/Special Judge at Ariyalur.

For Petitioner : Mr.G.Ilamurugu

For Respondent : Mr.R.Vinothraja
Government Advocate (CrI. Side)

ORDER

The Petitioner / appellant was convicted for the offences U/s.13(2) r/w Section 13(1)(d) of Prevention of Corruption Act, and sentenced to undergo two years R.I. along with a fine of Rs.10,000/- in



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default to undergo three (3) months S.I. and convicted for the offence U/s.7 of the Act and sentenced to undergo R.I. for one year along with a fine of Rs.1,000/- in default to undergo S.I. for three (3) months by the learned Chief Judicial Magistrate / Special Judge at Ariyalur, under judgment in Special S.C.No.01 of 2015 dated 30.04.2025. Hence, the petitioner seeks suspension of sentence.

2. The learned counsel for petitioner submits that the trial Court suspended the sentence and granted bail to the petitioner. Learned counsel further submits that there are several infirmities and inconsistencies found in the prosecution case and there are contradictions in the material particulars between the evidence of the prosecution witnesses.

3. Heard Mr.R.Vinothraja, learned Government Advocate (CrI. Side) and the learned counsel appearing for the petitioner.

4. Considering the facts and circumstances of the case and in view of the fact that there are several infirmities in the prosecution case



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and there are arguable points involved in the appeal, as contended by the learned counsel for petitioner and that the appeal is not likely to be taken up for final hearing in the near future, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

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.

15.05.2025

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jai/gbi

To

1. The Deputy Superintendent of Police,
Vigilance and Anticorruption,
Ariyalur.
2. The Chief Judicial Magistrate, Ariyalur.
3. The Public Prosecutor,
Madras High Court.

M.NIRMALKUMAR, J.

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