



Crl.M.P.No.11828 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2025

CORAM

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

Crl.M.P.No.11828 of 2025
in Crl.A.No.680 of 2025

M.Arumugathai

... Petitioner

Vs.

The State represented by,
Inspector of Police,
Anti - Corruption and Vigilance Department,
Tiruppur.
Crime No.05/2016/AC/TPR.

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Sections 430(1) of BNSS, 2023 pleaded to suspend the sentence imposed by the trial Court by the Judgment dated 22.05.2025 in Spl.C.C.No.02 of 2017 on the file of the Chief Judicial Magistrate Court, Tiruppur, pending disposal of the above Criminal Appeal by allowing this petition.

For Petitioner : Mr.R.Sivakumar

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

ORDER



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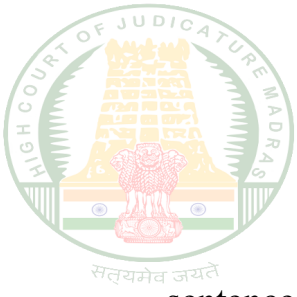
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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the trial Court by the Judgment dated 22.05.2025 in Spl.C.C.No.02 of 2017 on the file of the Chief Judicial Magistrate Court, Tiruppur.

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

<i>Under Section</i>	<i>Sentence</i>
Section 7 of Prevention of Corruption Act, 1988	Sentenced to undergo RI for 3 years and to pay a fine of R.2,000/- i/d to undergo one month simple imprisonment
Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988	Sentenced to undergo RI for 3 years and to pay a fine of R.2,000/- i/d to undergo one month simple imprisonment

3. The learned counsel for the petitioner submits 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 has got a fair chance of succeeding in the Criminal Appeal. He further submits that until yesterday, the



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sentence had remained suspended by the Trial Court. Hence, the sentence imposed against the petitioner may be suspended and the petitioner may be enlarged on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the prosecution has proved the case beyond reasonable doubts and the trial Court on finding the petitioner guilty, convicted him as stated above. Therefore, he vehemently opposed for grant of suspension of sentence.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent and perused the materials on record.

6. Considering the fact that the appeal is likely to take some time for disposal, and taking into account the overall facts and circumstances of the case, this Court is of the view that the sentence of imprisonment can be suspended subject to certain conditions.



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7. Accordingly, till the disposal of the Criminal Appeal, suspension of sentence is granted, on the following conditions :-

(i) The petitioner shall execute a bond for a sum of Rs.25,000/- with two sureties, each for a like sum to the satisfaction of the trial Court;

(ii) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;

(iii) The petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 355 of BNSS, 2023 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;

7. Accordingly, the Criminal Miscellaneous Petition stands allowed.



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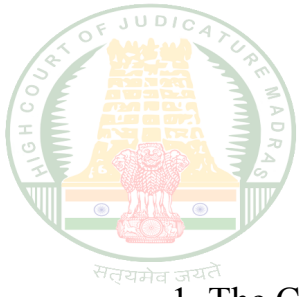
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D.BHARATHA CHAKRAVARTHY, J.
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To

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1. The Chief Judicial Magistrate Court, Tiruppur.
2. The Inspector of Police,
Anti - Corruption and Vigilance Department,
Tiruppur.
3. The Government Advocate (Crl.Side)
High Court of Madras.

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