



Crl.M.P.No.12010 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

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

Crl.M.P.No.12010 of 2025
in Crl.A.No.698 of 2025

K.Venkatesan

... Petitioner

Vs.

The State Rep. by,
The Inspector of Police,
Vigilance and Anti Corruption,
Chennai.

... Respondent

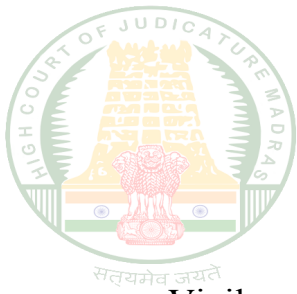
PRAYER: Criminal Miscellaneous Petition filed under Sections 430(1) of B.N.S.S., pleaded to suspend the sentence and enlarge the petitioner on bail in C.C.No.02 of 2018 on the file of the Special Judge for Vigilance and Anti Corruption Case at Chennai.

For Petitioner : Mr.V.N.Krishnamurthy

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

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence of imprisonment made by the judgment dated 18.06.2025 in C.C.No. 2 of 2018 on the file of the learned Special Judge for



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Vigilance and Anti Corruption Case at Chennai.

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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.	4 years Rigorous Imprisonment with fine of Rs.50,000/- in default to undergo 3 months of Simple Imprisonment
Section 13(2) r/w 13(1)(d) Prevention of Corruption Act, 1988.	5 years Rigorous Imprisonment with fine of Rs.50,000/- in default to undergo 6 months of Simple Imprisonment.

3. According to the learned counsel for the petitioner, there are arguable points available in the Criminal Appeal, which is not likely to be taken for final hearing in the near future. He submits that the petitioner has got a fair chance of succeeding in the Criminal Appeal. It is further contended that the demand itself has not been properly proved and a *prima facie* case exists in favour of accused. Moreover, since the fine amount has already been paid; 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



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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; including the age of the petitioner and the fact that the fine amount has already been paid, this Court is of the view that the sentence of imprisonment can be suspended subject to certain conditions.

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



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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 at 10.30 a.m., on the first working day once in every three months, that is from October 2025 onwards 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 ordered.

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D.BHARATHA CHAKRAVARTHY, J.
nsl

To

1. The Special Judge for Vigilance and Anti Corruption Case,
Chennai.
2. The Inspector of Police,
Vigilance and Anti Corruption,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

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