



*Crl.M.P.Nos.13657, 13666, 13772 and 13773 of 2025
in Crl.A.Nos.883, 884, 918 and 919 of 2025*

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.M.P.Nos.13657, 13666, 13772 and 13773 of 2025
in Crl.A.Nos.883, 884, 918 and 919 of 2025

M.Zaharullah

.. Petitioner
(in all cases)

Versus

State of Tamil Nadu rep. by,
The Inspector of Police,
Vigilance and Anti-Corruption,
City Special Unit-III,
Nandanam, Chennai - 600 035.
Crime No.02/AC/2011/CC-II

.. Respondent
(in all cases)

Prayer in Crl.M.P.No.13657 of 2025 : Criminal Miscellaneous Petition filed under Section 430 of BNSS, 2023, to suspend the sentence imposed in C.C.No.15 of 2013, dated 11.06.2025 on the file of the learned Special Judge, Special Court for Prevention of Corruption Act cases, Chennai and enlarge the petitioner on bail pending disposal of the Criminal Appeal before



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this Court.

Prayer in Crl.M.P.No.13666 of 2025 : Criminal Miscellaneous Petition filed under Section 430 of BNSS, 2023, to suspend the sentence imposed in C.C.No.17 of 2013, dated 11.06.2025 on the file of the learned Special Judge, Special Court for Prevention of Corruption Act cases, Chennai and enlarge the petitioner on bail pending disposal of the Criminal Appeal before this Court.

Prayer in Crl.M.P.No.13772 of 2025 : Criminal Miscellaneous Petition filed under Section 430 of BNSS, 2023, to suspend the sentence imposed in C.C.No.16 of 2013, dated 11.06.2025 on the file of the learned Special Judge, Special Court for Prevention of Corruption Act cases, Chennai and enlarge the petitioner on bail pending disposal of the Criminal Appeal before this Court.

Prayer in Crl.M.P.No.13773 of 2025 : Criminal Miscellaneous Petition filed under Section 430 of BNSS, 2023, to suspend the sentence imposed in C.C.No.18 of 2013, dated 11.06.2025 on the file of the learned Special Judge, Special Court for Prevention of Corruption Act cases, Chennai and enlarge the petitioner on bail pending disposal of the Criminal Appeal before this Court.

For Petitioner : Mr.M.N.Balakrishnan



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



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COMMON ORDER

All these Criminal Miscellaneous Petitions are connected together and as such are taken up and disposed of by this common order.

2. The learned Counsel for the petitioners in these cases, pointing out to the grounds of the appeals, would plead that there is more than a *prima facie* case for the appellants in these cases and would pray for the suspension of sentence.

3. Per *contra*, the learned Government Advocate (Crl. Side) for the respondent, by filing a counter-affidavit, would submit that in all these cases, the offence has been proved beyond all reasonable doubts and absolutely, nothing exists for this Court to interfere in the matters and since offence is serious, the sentence need not be suspended.

4. I have considered the rival submissions made on either side and



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perused the material records of the case.

5. Firstly, since it may take a while for this Court to prepare the appeals' papers ready and to take up the appeals for final hearing, it would be appropriate for this Court to suspend the sentence of imprisonment. With regard to fine also, the learned Counsel for the petitioner submits that in view of the higher amount of fine imposed, considering the inability that is pleaded, it is made clear that at least, the petitioners shall pay the sum of Rs.50,000/- each towards the fine amount and payment of the rest of the amount shall stand suspended.

6. In view thereof, these Criminal Miscellaneous Petitions are ordered on the following terms:-

(i) The petitioners shall pay a fine amount of Rs.50,000/- each pending disposal of all the four Criminal Appeals;

(ii) Upon deposit of the said sum, the remaining sentence for the



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payment of fine as well as the imprisonment shall stand suspended pending disposal of the appeals on the following conditions:-

(a) The petitioners shall execute a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the Trial Court;

(b) The petitioners 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;

(c) The petitioners shall appear before the Trial Court on the first working day once in every three months at 10.30 a.m., and if they are not able to appear before the Trial Court on any day, they 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 their absence, as directed by the Trial Court.

21.07.2025



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Neutral Citation : no
grs

To

1. The Special Judge,
Special Court for Prevention of Corruption Act cases,
Chennai.
2. The Inspector of Police,
Vigilance and Anti-Corruption,
City Special Unit-III,
Nandanam, Chennai - 600 035.
3. The Public Prosecutor,
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY, J.

grs

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