



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-12-2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL MP No. 23489 of 2025

IN

CRLA NO. 1882 OF 2025

K.Rajagopal
S/O Kuppusamy,
Formerly Senior Inspector of Co-
Operative Societies/Special Officer,
Paranattamangalam Basket Makers
Industrial Co-Operative Society Ltd.,
Paranattamanagalam, Salem.
Residing at. D.No.01/129 Kanchi
Nagar, Seelanaikenpatti and Post,
Salem Taluk and District.

Petitioner(s)

Vs

The State Rep By, The Inspector of
Police
Vigilance and Anti - Corruption, Salem.
Crime No.5/AC/1995

Respondent(s)

PRAYER: The Criminal Miscellaneous Petition filed under Section 415 of Bharatiya Nagarik Suraksha Sanhita, 2023 to suspend the sentence imposed on the petitioner by the judgment dated 17.11.2025 passed in Special C.C.No.23 of 2014 on the file of the Court of the Special Judge, Special Court for Trial of Cases under Prevention of Corruption Act, Salem and enlarge him on bail pending disposal of the above criminal appeal.

For Petitioner(s): Mr.K.Goviganesan

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



ORDER

WEB COPY This criminal miscellaneous petition has been filed to suspend the sentence imposed on the petitioner by the judgment dated 17.11.2025 passed in Special C.C.No.23 of 2014 on the file of the Court of the Special Judge, Special Court for Trial of Cases under Prevention of Corruption Act, Salem and enlarge him on bail pending disposal of the above criminal appeal.

2.The petitioner/appellant in Spl.C.C.No.23 of 2014 was convicted by the trial Court by the judgment dated 17.11.2025 for the offences under Sections 167, 420, 477-A IPC and sentenced him to undergo Rigorous Imprisonment for one year and to pay fine of Rs.1,000/- and in default to pay fine, to undergo simple imprisonment for one month for the offence under Section 167 IPC and to undergo Rigorous Imprisonment for two years and to pay fine of Rs.2,000/- and in default to pay fine, to undergo simple imprisonment for two months for the offence under Section 420 IPC and to undergo Rigorous Imprisonment for three years and to pay fine of Rs.3,000/- and in default to pay fine, to undergo simple imprisonment for three months for the offence under Section 477-A IPC.



3.The contention of the learned counsel for the petitioner is that the petitioner is the Senior Inspector of Co-operative Societies/Special Officer, in the Paranattamangalam Basket Makers Industrial Co-operative Society Ltd., and that A2 to A5 are subordinates. The allegations against the petitioner is that without verifying the genuineness of the bills prepared by his subordinates, he had signed the same and it is thereby projected as if he had conspired with the other accused. It is further submitted that no charge of conspiracy has been proved against him. In such circumstances, for the mistakes committed by the subordinates, the petitioner cannot be held responsible. The primary allegation is that the Bamboo baskets were supplied to fishermen at a cost of Rs.31/- per basket, and though the purchase cost was recorded as Rs.31/-, the actual value of the baskets is only Rs.12 to 14 and hence, it is alleged that there is misappropriation. He further submitted that in this case, the trial Court had suspended the sentence of the petitioner. Hence, prayed for granting suspension of sentence to the petitioner.

4.Heard the learned Govt. Advocate (Crl.Side) appearing for the respondents.

5.Considering the fact that petitioner is aged about 76 years and having age related health ailments and there are arguable points involved in this appeal



and it would take some time for the appeal to be taken up for final hearing and also the fact that fine amount paid and the sentence of imprisonment imposed on the petitioner already suspended by the trial Court, this Court is inclined to suspend the sentence imposed on the petitioner.

6. Accordingly, the substantive sentence of Imprisonment imposed on the petitioner is suspended till the disposal of the above appeal and the petitioner 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.

7. 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 criminal 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.

8. Accordingly, this Criminal Miscellaneous Petition is ordered.

08-12-2025

sms



CRL MP No. 23489 of 2025



To

1. The Inspector of Police
Vigilance and Anti - Corruption, Salem.
Crime NO.5/AC/1995

2.The Public Prosecutor
High Court, Madras.



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M.NIRMAL KUMAR J.

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