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CRL MP No. 24370 of 2
IN CRL A NO. 1931 OF 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL MP NO. 24370 OF 2025

IN

CRL A No. 1931 of 2025

Z.Abdul Hakkim
Head Master,
Government Madras - I Azam Higher
Secondary School,
Anna Salai,
Chennai – 600 002.

Petitioner/Accused

Vs

The State
Rep by the Deputy Superintendent of Police
Vigilance and Anti-Corruption,
City - II Detachment, Nandanam,
Chennai.

Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 473 of BNSS, 2023 praying to suspend the sentence of imprisonment passed against the petitioner by the Special Court for cases under the Prevention of Corruption act, Chennai by order dated 28.11.2025 in C.C.No.21 of 2013 and enlarge the petitioner on bail pending disposal of the above criminal appeal.

For Petitioner : Mr.G.Palanisamy

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



ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence of imprisonment imposed against the petitioner by the Special Court for cases under the Prevention of Corruption act, Chennai by order dated 28.11.2025 in C.C.No.21 of 2013 and enlarge the petitioner on bail pending disposal of the above criminal appeal.

2.The petitioner/Accused in C.C.No.21 of 2013 was convicted by the Trial Court by the judgment dated 28.11.2025 for the offences under Sections 7 and 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988 ('PC Act') and sentenced to undergo one year rigorous imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo three months simple imprisonment, for the offence under Section 7 of PC Act and for the offence under Sections 13(2) r/w 13(1)(d) of Prevention of Corruption Act, sentenced to undergo two years rigorous imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo three months simple imprisonment. Aggrieved by the said conviction, the petitioner filed Crl.A.No.1931 of 2025 before this Court along with the instant miscellaneous petition seeking suspension of sentence and bail.

3.The learned counsel for the petitioner submitted that petitioner has been falsely implicated in this case. The petitioner is the Head Master of Government



School, which is located in a prime locality of Chennai City, wherein private persons authorised to run a Cricket and Tennis Academy. The petitioner objected to the same and sought closure of the Academy, so that the students could benefit equally, and not only the privileged who can pay the fee. Hence, he opposed the continuation of the Cricket and Tennis Academy, for which the de-facto complainant lodged a false complaint and implicated the petitioner. In fact, the recovery of the bribe amount is from the iron drawer and the petitioner was forced to handle the trap amount. The petitioner by way of cross examination elicited to the decoy as well the accompanying witness, the same was not considered by the trial Court. Apart from it, the second demand is said to have made through the phone call. PW7 admits that the phone is used commonly and not exclusively by the petitioner. These factors not considered by the trial Court. He further submitted that the trial Court already suspended the sentence of the petitioner. Hence, he prayed for granting suspension of sentence to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent submitted that during trial, on the side of the prosecution, PW1 to PW14 examined and Exs.P1 to P21 marked and material objects M.O.1 to M.O.3 produced. On the side of the defence, DW1 to DW5 examined and Exs.D1 to D7 marked. The Trial Court on the evidence of witnesses and the



materials produced had rightly convicted the petitioner. He further submitted that the trial Court already suspended the sentence of the petitioner.

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5.Considering the fact that petitioner is aged about 71 years having serious health ailments, the sentence of imprisonment imposed on the petitioner has been suspended by the trial Court 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, 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 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.

7.Further, the petitioner shall appear before the Trial Court once in six months on the first working day at 10.30 a.m., 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.

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To

1. The Special Judge,
Special Court for P.C. Act Cases, Chennai.
2. The Deputy Superintendent of Police
Vigilance and Anti-Corruption,
City - II Detachment, Nandanam,
Chennai.
3. The Public Prosecutor
High Court, Madras.



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M. NIRMAL KUMAR, J.

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