



CrI.MP(MD) No.1643 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :20.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrI.MP(MD) No.1643 of 2025

in

CrI.A(MD) No.150 of 2025

M.Danabalasubramanian

... Petitioner

Vs.

State of Tamil Nadu,
Rep by the Inspector of Police,
Vigilance and Anticorruption Wing,
Thanjavur.

Cr.No.6 of 2009

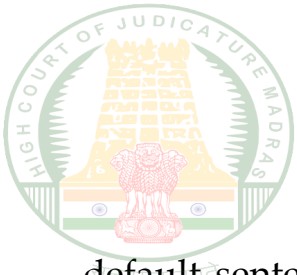
... Respondent

For Petitioner : Mr.K.Balasundaram, Senior Counsel
for M/s.KBS Law Office

For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

The petitioner, an accused in Spl.C.No.39 of 2014, on the file of the Special Court for Vigilance and Anti Corruption-cum-Chief Judicial Magistrate Court, Thanjavur @ Kumbakonam was found guilty by the trial Court for the offence under Section 13(w) r/w 13(1)(d) of Prevention of Corruption Act and he was convicted and sentenced to undergo two years rigorous imprisonment with fine of Rs.1000/- and



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default sentence of one month simple imprisonment was also imposed. As against the conviction and sentence imposed by the trial Court in Spl.C.No.39 of 2014, dated 20.01.2025, the petitioner has filed a Criminal Appeal in Crl.A(MD) No.150 of 2025 and the same has been admitted by this Court on 19.02.2025. The petitioner has also moved this application to suspend the sentence imposed on him by the trial Court.

2.The learned senior counsel appearing for the petitioner submits that the petitioner is aged about 72 years and he is suffering with cancer, for which, he is taking treatment. The learned senior counsel has produced bunch of medical records to that effect. Scan report of the appellant reveals that he is taking treatment for "Ca.Prostate, post Orchidectomy, Grade I Prostatomegaly". The learned senior counsel questions the competency of the authority and submits that the explanation offered by this petitioner has not been considered by the sanctioning authority and also by the trial Court. According to him, the amount was received by the petitioner for issuing a "உழவர் பாதுகாப்பு அட்டை", however, no such document has been recovered by the respondent. He further submits that the present health condition of the petitioner is that he cannot walk independently and also he cannot even attend the nature call without any assistance.

3.Considering the submissions made by the learned counsel for the appellant and the fact that the appeal has already been admitted by this Court, and the



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petitioner has raised some arguable points and the appeal could not be taken up immediately, this Court is inclined to suspend the sentence imposed on the petitioner with certain conditions.

4. Accordingly, the substantive sentence of imprisonment alone is suspended pending disposal of the criminal appeal and the petitioner is ordered to be enlarged on bail on executing a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the Special Court for Vigilance and Anticorruption cum Chief Judicial Magistrate Court, Thanjavur @ Kumbakonam and on further condition that the petitioner shall stay at Madurai and report before the Inspector of Police, Othakkadai Police Station, daily at 10.30 a.m., till the disposal of the appeal.

sd/-
20/03/2025

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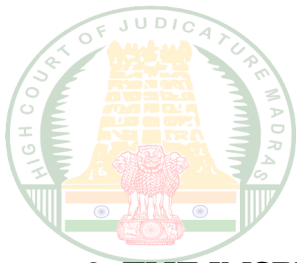
21/03/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN
TO

1 THE SPECIAL JUDGE FOR VIGILANCE AND
ANTI CORRUPTION CUM CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.

2 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTICORRUPTION WING,
THANJAVUR.

<https://www.mhc.tn.gov.in/judis>



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3 THE INSPECTOR OF POLICE,
OTHAKKADAI POLICE STATION,
MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.M/S.KBS LAW OFFICE, Advocate (SR-3177[I] dated 20/03/2025)

ORDER IN
Crl.MP(MD) No.1643 of 2025
in Crl.A(MD) No.150 of 2025
Date :20/03/2025

SA/SAR. /21.03.2025/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.