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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20-02-2025

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

CrI.M.P.(MD)No.1617 of 2025

in

CrI.A.(MD)No.144 of 2025

Kannagi
W/o.Kalyana Irulandi,
Former Revenue Assistant, C-1 Section,
Madurai North Taluk Office,
Madurai District,
Residing at 3/1A, Ahimsapuram 1st Street,
Sellur,
Madurai - 625 002.

... Petitioner / Appellant/Sole Accused
Vs

State represented by,
The Inspector of Police,
Vigilance and Anti-Corruption Wing,
Madurai District.

(Crime No.5 of 2015)

... Respondent / Respondent/Complainant

For Petitioner : Mr.Kathirvelu, Senior Counsel
for Mr.K.Prabhu, Advocate

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



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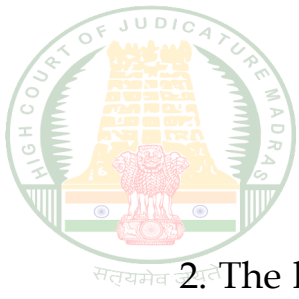
ORDER

The petitioner is the accused in Spl.C.No.1 of 2016 on the file of the Special Court for Prevention of Corruption Act cases, Madurai. After the trial, the trial Court, by its Judgment dated 28.01.2025, found the petitioner guilty for the offence under Sections 7 and 13(2) r/w. 13(1)(d) of Prevention of Corruption Act and convicted and sentenced her as follows:

(i) for the offence under Section 7 of Prevention of Corruption Act, to undergo 4 years rigorous imprisonment and to pay a fine of Rs.4,000/-, with the default sentence of 3 months simple imprisonment;

(ii) for the offence under Section 13(2) r/w. 13(1)(d) of Prevention of Corruption Act, to undergo 5 years rigorous imprisonment and to pay a fine of Rs.4,000/-, with the default sentence of 3 months simple imprisonment.

Challenging the Judgment of conviction and sentence, the petitioner has preferred an appeal in CrI.A.(MD)No.144 of 2025 along with the petition for suspension of sentence. The Criminal Appeal was admitted by this Court on 06.02.2025.



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2. The learned Senior Counsel appearing for the petitioner submits that the cell phone of the petitioner was recovered by the Police and that was admitted by P.W.2, but, the cell phone of the petitioner was kept over the bribe amount. However, the said cell phone was not produced before the Court and was not subjected to phenolphthalein test. The learned Senior Counsel further submits that the petitioner is having arguable points to succeed in this appeal. Since the petitioner is in jail from the date of conviction, the learned Senior Counsel prays for suspension of sentence.

3. Heard the learned Additional Public Prosecutor.

4. Considering the period of incarceration and since the petitioner is having arguable points in this appeal and there is no likelihood of listing the criminal appeal for final hearing in the near future, this Court is inclined to suspend the sentence imposed on the petitioner.

5. 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



Prevention of Corruption Act cases, Madurai District and on further condition that
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the petitioner shall appear before the respondent Police daily at 10.30 a.m. until
further orders.

Sd/-
20/02/2025

/ TRUE COPY /

20/02/2025
Sub-Assistant Registrar (Judicial)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY
TO

- 1 THE SPECIAL JUDGE
FOR PREVENTION OF CORRUPTION ACT CASES,
MADURAI DISTRICT.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN, MADURAI.
- 3 THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION WING, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.PRABHU, Advocate (SR-1860[I] dated 20/02/2025)

ORDER IN
CRL MP(MD) No.1617 of 2025 IN
CRL A(MD) No.144 of 2025
Date :20/02/2025

ES/SKN/SAR /20.02.2025/4P/6C

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