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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2025

CORAM:

THE HONOURABLE MR JUSTICE B.PUGALENDHI

CRL.MP(MD).No.3214 of 2025

in

CRL A (MD).No.308 of 2025

N.Logambal

.. Petitioner/Appellant

Vs.

The State of Tamil Nadu
rep. by The Inspector of Police,
Vigilance and Anti-Corruption Unit,
Tiruchirappali,
Tiruchirappalli District.
(Crime No.15 of 2007)

.. Respondent/Respondent

Prayer: This criminal miscellaneous petition is filed to enlarge the petitioner on bail by suspending the sentence imposed upon him in Spl Case No.81/2011 on the file of the learned Special Judge/Special Court for Trial of V and AC Cases, Tiruchirappalli, Tiruchirappalli District.



WEB COPY For Petitioner : Mr.M.Suri, Advocate

For Respondent : Mr.T.Antony S.Prabhakar
Additional Public Prosecutor

ORDER

The petitioner was found guilty by the learned Special Judge/Special Court for Trial of V and AC Cases, Tiruchirappalli, Tiruchirappalli District convicted and sentenced to undergo 1 year imprisonment and to pay a fine of Rs.1,000/- in default to undergo 3 months simple imprisonment for the offences under Section 7 of Prevention of Corruption Act, 1988 and sentenced to undergo 2 years imprisonment and to pay a fine of Rs.1,000/- in default to undergo 3 months simple imprisonment for the offence under Section 13 (2) r/w 13(1)(d) of Prevention of Corruption Act, 1988.

2. As against the conviction and sentence imposed by the trial Court, this petitioner filed CRL A (MD).No.308 of 2025 and the same has been admitted by this Court today. This petitioner has already filed an application to suspend the sentence.



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3. The case of the prosecution is that the Accused/Appellant herein was working as Village Health Nurse in Sobanapuram Village, Thuraiyur Taluk, Tiruchirappalli District and PW.2, who was pregnant and had approached her on 30.08.2007 for availing the benefit of Rs.6,000/- under Dr.Muthulakshmi Reddy Maternity Benefit Scheme along with the Application, for which the Petitioner/Accused had demanded an illegal gratification of Rs.500/- for recommending under the said Scheme. As P.W.2 was not inclined to pay the bribe as demanded by the petitioner/accused she had lodged the present complaint resulting in the Trap proceedings on 31.08.2007 which was successful and as such the petitioner had been prosecuted under Section 7 and 13 (1)(d) r/w 13(2) of Prevention of Corruption Act, 1988 and convicted as stated above.

4. The learned counsel for the petitioner submits that the trial Court has initially suspended the sentence by its order from 10.02.2025 till 10.03.2025 and this petitioner surrendered before the trial Court and now she is confined in the Women Central Prison, Tiruchirappalli.

5. The learned counsel further submits that she was working as a village health nurse in Sobanapuram village and the complaint has been lodged with a motive as



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against the petitioner. According to him, this petitioner has rejected the application made by P.W.2 under Janani Suraksha Yojana Maternity Scheme that it is not applicable after the delivery of the child. With this motive, P.W.2 has foisted this false complaint.

6. The learned counsel for the petitioner has also invited the attention of this Court to ground Nos.b,c,d and f of the grounds of the appeal in support of his submissions.

7. Heard the learned Government Advocate (Crl. Side), who would submit that the petitioner was caught red handed while receiving the bribe amount. He further submitted that the Trial Court considering the evidence produced by the prosecution has found the petitioner guilty and convicted as stated supra.

8. This Court considered the rival submissions made and perused the material placed on record.

9. The petitioner has made out certain arguable points. However, this appeal could not be taken for final hearing in the near future. It is reported that this petitioner is confined at Women Central Prison, Tiruchirappalli.



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10. Considering that the petitioner is having some arguable points in the main appeal and it could not be taken for final disposal immediately, this Court is inclined to suspend the sentence imposed on the petitioner.

11. Accordingly, this petition is allowed and 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 learned Special Judge/Special Court for Trial of V and AC Cases, Tiruchirappalli, Tiruchirappalli District and on further condition that the petitioner shall appear before the said Court on every working day at 10.30 a.m. for a period of 30 days and thereafter on the first working day of every English Calender month at 10.30 a.m., till the disposal of the appeal.

Sd/-
14/03/2025

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17/03/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

- 1.The Special Judge/Special Court for
Trial of V and AC Cases,
Tiruchirappalli,
Tiruchirappalli District.
2. The Inspector of Police,
Vigilance and Anti-Corruption Unit,
Tiruchirappalli,
Tiruchirappalli District.
- 3.The Superintendent,
Women Central Prison,
Tiruchirappalli.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.

+1 CC to M/s.M.SURI, Advocate (SR-2827[I] dated 14/03/2025)

ORDER IN
CRL MP(MD) No.3214 of 2025
IN
CRL A(MD) No.308 of 2025
Date :14/03/2025

ES/17.03.2025/6P/6C

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