



Crl.M.P.(MD)No.3260 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2025

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THE HONOURABLE MR JUSTICE B.PUGALENDHI

Crl.M.P.(MD)No.3260 of 2025

in

Crl.A.(MD)No.314 of 2025

K.Ilanchezian,
S/o.Kannusamy,
Aandipatti Bungalow,
Vadipatti,
Madurai District.

Petitioner(s)

versus

The State of Tamilnadu through
The Inspector of Police,
Vigilance and Anti-Corruption Cell,
Madurai District.

Respondent(s)

For Petitioner(s): Mr.V.Kathirvelu, Senior Counsel
for Mr.K.Prabhu, Advocate

For Respondent(s): Mr.T.Senthilkumar,
Additional Public Prosecutor

ORDER

The petitioner/A1, a Forest Range Officer, was arrested in connection with a case in Crime No.8 of 2013 that he has demanded a sum of Rs.30,000/-which was subsequently reduced into Rs.20,000/- and received the said amount of Rs.20,000/- as illegal gratification from the defacto complainant for renewal of license for his sawmill. The respondent/Vigilance and Anti-Corruption Wing has filed a final report as against the petitioner and the same was taken on file in Spl.C.No.27 of 2014



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on the file of the Special Court for trial of cases under Prevention of Corruption Act, Madurai. After the trial, the Trial Court, by its Judgment dated 24.02.2025, found the petitioner guilty for the offence under Sections 7 and 13(2) r/w. 13(1)(d) of the Prevention of Corruption Act and convicted and sentenced him as follows:

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

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

Challenging the Judgment of conviction and sentence, the petitioner has preferred an appeal in Crl.A.(MD)No.314 of 2025 and the same has been admitted by this Court on 02.04.2025. The petitioner has also moved this petition seeking to suspend the sentence imposed by the trial Court.

2. The learned Senior Counsel appearing for the petitioner submits that there was no recovery from the petitioner and the alleged demand made by the petitioner has not been proved by the prosecution. According to the prosecution, the 1st demand was made through phone conversation between the petitioner and the defacto complainant. In order to prove the same, the prosecution took a feeble attempt and



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marked the call details. But, there is nothing to show as to what had transpired in between the petitioner and the defacto complainant during the conversation. Therefore, the demand itself has not been proved by the prosecution as against the petitioner. The learned Senior Counsel further submits that the defacto complainant, who was cited as L.W.1, was examined as P.W.10 and subsequently, he had turned hostile. Further, P.W.5, who is the father of the defacto complainant, is the sawmill owner and he has not supported the prosecution in toto. Therefore, the very foundational facts of the case as emerged from the evidence of P.W.5 and P.W.10 have not been duly established by the prosecution.

3. The learned Senior Counsel has also relied on several other grounds raised in support of the Appeal and also submits that on completion of the interim suspension granted by the trial Court, the petitioner has surrendered before the trial Court on 07.04.2025 and he is in jail. Therefore, the learned Senior Counsel requested this Court to consider the case of the petitioner for suspending the sentence pending the appeal.

4. Heard the learned Additional Public Prosecutor appearing for the respondent Police.

5. The petitioner has raised certain arguable points, which can be considered only during the final hearing of the appeal. However the appeal could not be taken



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up for final hearing for want of time. Therefore, this Court is inclined to allow this
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petition.

6. 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 Anti Corruption Cases, Madurai and on further condition that the petitioner shall appear before the respondent Police daily at 10.30 a.m. until further orders.

sd/-
08/04/2025

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08/04/2025

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. THE SPECIAL COURT FOR TRIAL OF CASES UNDER
PREVENTION OF CORRUPTION ACT,
MADURAI.
2. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.



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3. THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI-CORRUPTION CELL,
MADURAI DISTRICT.

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

+1 CC to M/s.D.JOTHI, Advocate (SR-4052[I] dated 08/04/2025)

+1 CC to M/s.K.PRABHU, Advocate (SR-4103[I] dated 08/04/2025)

ORDER
IN
CRL MP(MD) No.3260 of 2025
IN
CRL A(MD) No.314 of 2025
Date :08/04/2025

RS//SAR-(08.04.2025) 5P 7C

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