



Crl.M.P.(MD)No.3392 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2025

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THE HONOURABLE MR JUSTICE B.PUGALENDHI

Crl.M.P.(MD)No.3392 of 2025

in

Crl.A.(MD)No.322 of 2025

J.Chinnathambi,
S/o.Jerusalem,
residing at No.4/106-A/9,
RBS Garden, State Bank Colony,
Thoothukudi - 628 002.
Formerly Sub-Registrar,
Sub-Registrar Office,
Thoothukudi District.

Petitioner(s)

versus

State of Tamilnadu,
Rep. by the Inspector of Police,
Vigilance and Anti-Corruption,
Thoothukudi.

Respondent(s)

For Petitioner(s): Mr.Shanmuga Velayutham, Senior Counsel
for Mr.M.Suri, Advocate

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

ORDER

The petitioner, who was working as Sub Registrar, was tried for the offence punishable under Sections 7 and 13(2) r/w. 13(1)(d) of the Prevention of Corruption

Act, 1988, before the learned Special Judge cum Chief Judicial Magistrate,

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



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Thoothukudi, in Spl.C.C.No.1 of 2008. After the trial, the trial Court, by its Judgment dated 28.02.2025, found the petitioner guilty and convicted and sentenced him as under:

(i) for the offence under Section 7 of the Prevention of Corruption Act, to undergo 3 years simple imprisonment and to pay a fine of Rs.5,000/- with default sentence of three months simple imprisonment.

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

Challenging the Judgment of conviction and sentence, the petitioner has preferred an appeal in Crl.A.(MD)No.322 of 2025 along with a petition for suspending the sentence. The Criminal Appeal was admitted by this Court on 14.03.2025.

2.The learned Senior Counsel appearing for the petitioner submits that the trial Court, while passing the Judgment, suspended the sentence imposed on the petitioner till 28.03.2025, however, on his advice, the petitioner has surrendered before the Court yesterday, i.e. on 17.03.2025. The learned Senior Counsel further submits that this is a motivated complaint and P.W.1, who is a real estate broker, had certain issues with the petitioner. P.W.1 has insisted the petitioner to reduce the



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guideline value for his registration which was not accepted by the petitioner.

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Therefore, this case has been foisted as against the petitioner. According to him, there was no demand and the demand was not corroborated by any witnesses.

3.The learned Senior Counsel further submits that the amount has been dropped on the table and it has not been touched by the petitioner. Further, the phenolphthalein test has also been proved negative. According to him, in order to wreck vengeance, this case has been foisted as against the petitioner. Therefore, he seeks for suspending the sentence imposed on the petitioner.

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

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 up for final hearing for want of time. Considering the points raised by the petitioner and also for the reason that the appeal could not be taken up immediately, this Court is inclined to allow this 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 learned Special Judge cum Chief Judicial Magistrate, Thoothukudi and on further conditions that the



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petitioner shall appear before the said Court once in a month, i.e. on the first working
WEB COPY day of every English Calender month at 10.30 a.m., till the disposal of the appeal.

sd/-
18/03/2025

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18/03/2025

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 CUM CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 2 THE INSPECTOR OF POLICE, VIGILANCE AND ANTI CORRUPTION,
THOOTHUKUDI.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.SURI, Advocate (SR-2990[I] dated 18/03/2025)

ORDER IN
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Crl.A.(MD)No.322 of 2025
Date :18/03/2025

RS/IT/SAR-(18.03.2025) 4P 6C
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