



CRL MP(MD) No. 3830 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02-04-2025

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

CRL MP(MD) No. 3830 of 2025

in

CRL A(MD)No.372 of 2025

A. Sugumar

Petitioner(s)

Vs

The State of Tamil Nadu,  
Rep by The Inspector of Police,  
Vigilance and Anti Corruption,  
Thanjavur.  
(Crime No. 05/2013)

Respondent(s)

For Petitioner(s):

M/s. Rajasuriya. J.T

For Respondent(s):

Mr.P.Kottaichamy

Government Advocate

### ORDER

The petitioner is the sole accused in Spl.S.C.No.29 of 2014, on the file of the learned Special Judge cum Chief Judicial Magistrate Thanjavur at Kumbakonam. He was found guilty by the trial Court and was convicted and sentenced as under:-



WEB COPY

| Offence under Section                                         | Sentence                                                                                                                                                          |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7 of the Prevention of Corruption Act, 1988                   | Convicted and sentenced to undergo 3 years rigorous imprisonment with a fine of Rs.8,000/- and if fine is not paid to undergo a further imprisonment of 3 months. |
| 13(2) r/w 13(1) (d) of the Prevention of Corruption Act, 1988 | Convicted and sentenced to undergo 1 year rigorous imprisonment with a fine of Rs.4,000/- and if fine is not paid to undergo a further imprisonment of 3 months.  |

2. As against the conviction and sentence imposed by the trial Court, the petitioner has filed a Criminal Appeal in CrI.A(MD) No.372 of 2025 and the same has been admitted by this Court. The petitioner has also moved this application to suspend the sentence imposed on him by the trial Court.

3. The case of the prosecution is that the petitioner while serving as a Sub Inspector of Police was arrested by the respondent police that he has received a sum of Rs.8,000/- as bribe from the defacto complainant and a case was registered in Crime No.05 of 2013 against the petitioner. The trial Court found him guilty and



convicted as stated supra.

WEB COPY

4. When this application is taken up for hearing, it is also reported that the sentence has been suspended by the trial Court for a period of 30 days and after that period this petitioner has also surrendered before the Court on 01.04.2025.

5. The learned counsel appearing for the petitioner submits that there is no material evidence to show that the petitioner had demanded money. He further submits that due to previous enmity, a case has been wrongly foisted against the petitioner. Therefore, he requests to suspend the sentence of the petitioner.

6. The learned Government Advocate appearing for the respondent submits that the petitioner being the Sub Inspector of Police has indulged in corrupt practice and has received the money. For this, nature of offence, he cannot be considered for suspension the sentence. He further submits that he is ready for the final disposal even now.

7. This court considered the rival submissions made on either side and perused the materials available on record.

8. 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, his period of incarceration and for the reasons that the appeal could not be taken up



CRL MP(MD) No. 3830 of 2025

immediately, this Court is inclined to allow this petition and accordingly the sentence imposed by the trial Court as against the petitioner is suspended pending this appeal with certain conditions:-

- i. The petitioners shall furnish two sureties for a sum of Rs.50,000/- each for a like sum to the satisfaction of the learned Special Judge cum Chief Judicial Magistrate, Thanjavur at Kumbakonam;
- ii. The petitioner shall stay at Melattur and report before the Inspector of Police, Melattur Police Station, Thanjavur District daily at 10.30 am until further orders.

sd/-  
02/04/2025

/ TRUE COPY /

04/04/2025

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

rgm  
TO

1. The Special Judge cum Chief Judicial Magistrate, Thanjavur at Kumbakonam.
  2. The Inspector of Police,  
Vigilance and Anti Corruption, Thanjavur.
  3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.
- copy to  
The Inspector of Police,  
Melattur Police Station, Thanjavur Rural Division, Thanjavur District.



**CRL MP(MD) No. 3830 of 2025**

WEB COPY +1 CC to M/s.J.T.RAJASURIYA, Advocate ( SR-3761[I] dated 02/04/2025 )

ORDER  
IN  
CRL MP(MD) No.3830 of 2025  
in  
CRL A(MD)No.372 of 2025  
Date :02/04/2025

NBF/SAR/ (04/04/2025) 5P/6C

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