



CRL MP(MD) NO. 6479 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14-05-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL MP(MD) NO. 6479 of 2025

in

CRL A(MD) NO. 578 of 2025

Dhilip Mohammed,
S/o Raheem,
Formely Junior Assistant, B-3 Seat,
Ramanathapuram Taluk Officer,
Ramananthapuram District,
Residing at NO.7/4, Middle Street,
Sakkarakottai, Ramanathapuram District

... Petitioner

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Vigilance and Anti Corruption,
Ramanathapuram,
Crime No.2 of 2015

Respondent(s)

For Petitioner(s):

Mr.RS.Madhan Kumar

For Respondent(s):

Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence

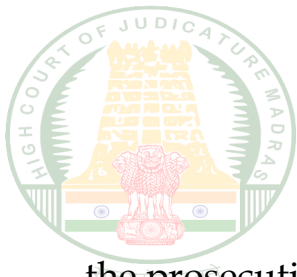


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imposed on the petitioner/Sole Accused by the learned Special Judge cum Chief
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Judicial Magistrate Court, Ramanathapuram in Spl.C.C.No.1 of 2016 dated
28.03.2025 and enlarge the petitioner on bail.

2. The learned counsel for the petitioner/appellant submitted that the petitioner/appellant has been convicted by the learned Special Judge cum Chief Judicial Magistrate Court, Ramanathapuram for the offences punishable under Section 7 of the Prevention of Corruption Act, 1988 and 248(2) of Cr.P.C and sentenced him to undergo rigorous imprisonment for a period of four years and to pay a fine of Rs.10,000/- (Rupees Ten Thousand) in default to undergo simple imprisonment for a further period of six months and also convicted for the offences under Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act and sentenced him to undergo rigorous imprisonment for a period of four years and to pay a fine of Rs.10,000/- (Rupees Ten Thousand) in default to undergo simple imprisonment for a further period of six months in Spl.C.C.No.1 of 2016 on the file of learned Special Judge cum Chief Judicial Magistrate Court, Ramanathapuram.

3. Further, the learned counsel for the petitioner/appellant submitted that the evidence adduced on the defence side was not properly appreciated and the sanction was also not proper. There are several infirmities in the prosecution case and further there are contradictions in material particulars between the evidence of



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the prosecution witnesses.

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4. The learned Additional Public Prosecutor submitted that there are enough materials available on record against the petitioner/appellant as per the evidence adduced by the prosecution and there is no infirmity in the prosecution case and prays for dismissal of this petition.

5. This Court has carefully considered the contentions made and also perused the materials available on record.

6. The learned counsel for the petitioner/appellant pointed out that certain infirmities and inconsistencies in this case and also certain contradictions in material particulars.

7. Considering the fact that there are arguable points involved in this criminal appeal and further the criminal appeal is not likely to be taken up for final hearing in the near future, this Court is of the considered view that the petitioner herein/appellant is entitled to the relief of grant of suspension of sentence.

8. Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal and the petitioner/appellant is directed to be enlarged on bail on condition that on petitioner/appellant executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of (*)learned



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Special Judge cum Chief Judicial Magistrate, Ramanathapuram and on further
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condition that the petitioner shall appear before the Trial Court once in a month on
the 1st working day of every English Calender month at 10.30 a.m., until further
orders.

sd/-
14/05/2025

(*)for corrected as per the order of
this Honorable Court dated
14/05/2025 in CrI MP(MD)
No.6479 of 2025 in CrI A(MD)
No.578 of 2025)

/ TRUE COPY /

21/05/2025
Sub-Assistant Registrar (PA-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MAC

TO

(*)TO BE SUBSTITUTED WITH THE ORDER DATED 14/05/2025 ALREADY
DESPATCHED

1 THE SPECIAL JUDGE
CUM CHIEF JUDICIAL MAGISTRATE COURT, RAMANATHAPURAM.

2 THE JUDGE
THE SPECIAL COURT FOR EXCLUSIVE TRIAL OF PREVENTION OF
CORRUPTION ACT CASES, TIRUNELVELI.



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3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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4 THE INSPECTOR OF POLICE, VIGILANCE AND ANTI CORRUPTION,
RAMANATHAPURAM.

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

+1 CC to M/s.S.MADHAN KUMAR, Advocate (SR-5581[I] dated 21/05/2025)

ORDER

IN

CRL MP(MD) No.6479 of 2025

IN

CRL A(MD) No.578 of 2025

Date :14/05/2025

NBF/21.05.2025 /5P/7C

HPS/15.05.2025 /5P/7C

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