



CRL MP(MD) NO. 6717 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04-06-2025

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

CRL MP(MD) NO. 6717 of 2025

IN

CRL A(MD) NO. 612 OF 2025

K.G Kumar
S/o.Ganapathy Nadar, No.6/362, Sriram Theatre Road,
Virudhunagar, Proprietor, Ganesh Engineering and Lath
Works, No.90/1, Aruppukottai Road, Virudhunagar
District.

Petitioner(s)

Vs

The State of Tamilnadu
Rep by The Inspector of Police, Vigilance and Anti
Corruption, Virudhunagar District. Crime no.3 of 2007.

Respondent(s)

For Petitioner(s):

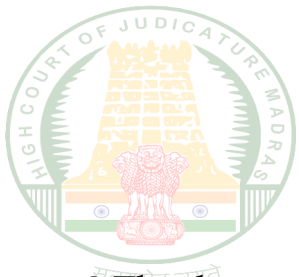
Mr.S.M.Ramasiva

For Respondent(s):

Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

ORDER

The Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Special Judge cum Chief Judicial Magistrate, Srivilliputhur, dated 20.03.2025, in Spl.C.C.No.26 of 2014 till the disposal of appeal.

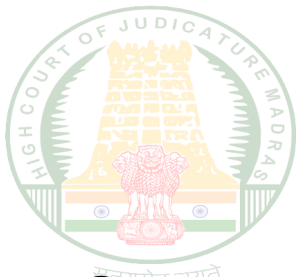


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2. The learned counsel for the petitioner submitted that the petitioner has been
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convicted by the learned trial judge, for the alleged offences under Sections 120B, 467, 468, 471, 420, 409 r/w 109 IPC and sentenced him to undergo 3 years rigorous imprisonment and to pay a fine of Rs.5,000/- in default to undergo 6 months simple imprisonment for the offence u/s.120B of the IPC, sentenced him to undergo 3 years rigorous imprisonment and to pay a fine of Rs.5,000/- in default to undergo 6 months simple imprisonment for the offence u/s.467 of the IPC, sentenced him to undergo 3 years rigorous imprisonment and to pay a fine of Rs.5,000/- in default to undergo 6 months simple imprisonment for the offence u/s.468 of the IPC, sentenced him to undergo 3 years rigorous imprisonment and to pay a fine of Rs.5,000/- in default to undergo 6 months simple imprisonment for the offence u/s.471 of the IPC, sentenced him to undergo 3 years rigorous imprisonment and to pay a fine of Rs.5,000/- in default to undergo 6 months simple imprisonment for the offence u/s.420 of the IPC and sentenced him to undergo 3 years rigorous imprisonment and to pay a fine of Rs.5,000/- in default to undergo 6 months simple imprisonment for the offence u/s.409 r/w 109 of IPC. The sentences were ordered to run concurrently. Set off under Section 428 Cr.P.C. is also ordered.

3. The learned counsel for the petitioner submitted that A1 to A3 have cheated the



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Government to the tune of Rs.2,46,000/- and A4 did not commit any offence. It is further submitted that the petitioner, who owns private company, by name, Ganesh Engineering and Lathe Works at Virudhunagar, has only given quotation to A1 and A2 by writing it in his hands. However, that has been manipulated by A1 to A3 and they have produced typewritten quotations by misusing the appellant's Company name, Ganesh Engineering and Lathe Works. He therefore, prays that the sentence be suspended till the disposal of the appeal.

4. Having regard to the fact that there are arguable points involved in the appeal, the suspension of sentence petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal on the following conditions:

- i. that the petitioner shall execute 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 the learned Special Judge cum Chief Judicial Magistrate, Srivilliputhur;
- ii. that the petitioner shall appear before the said Court once in a week, at 10.30 a.m. till the disposal of appeal.



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4. Accordingly, this Criminal Miscellaneous Petition is allowed.

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sd/-

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

mbi

TO

1.THE SPECIAL JUDGE CUM CHIEF JUDICIAL MAGISTRATE,
SRIVILLIPUTHUR.

2.THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.S.M.RAMASIVA, Advocate (SR-5897[I] dated 04/06/2025)

ORDER

IN

CRL MP(MD) No.6717 of 2025

IN

CRL A(MD) NO. 612 OF 2025

Date :04/06/2025

HPS/24.06.2025 /4P/5C

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