



CRL MP(MD) No. 6444 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09-05-2025

CORAM

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

CRL MP(MD) No. 6444 of 2025

in

CRL A(MD) No. 562 OF 2025

R.K Kanagaraj

**S/o.Karuppaiah, 3/925, Rajapatti, Alangulam Post,
Vembakottai Taluk, Virudhunagar District.**

Petitioner(s)

Vs

The State of Tamilnadu

**Rep by The Inspector of Police, Vigilance and Anti
Corruption Wing, Virudhunagar District. Crime No.1/2012.**

Respondent(s)

For Petitioner(s):

Mr.I.Pinaygash

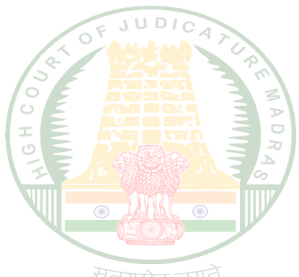
For Respondent(s):

Mr.S.S.Manoj

Government Advocate (Crl.side)

ORDER

This petition has been filed under Section 430(1) of BNSS, 2023, praying to suspend the sentence imposed in Special Calendar Case No.45 of 2014, dated 22.04.2025, passed by the learned Special Judge for trial of Cases under the Prevention of Corruption Act cum Chief Judicial Magistrate, Virudhunagar District at Srivilliputhur and to grant bail to the petitioner, pending disposal of the Criminal Appeal.



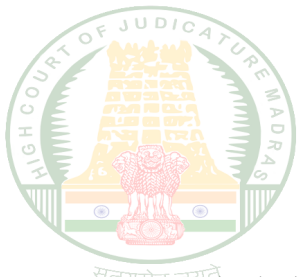
CRL MP(MD) No. 6444 of 2025

वेदमैव जयते
WEB COPY

2.The case of the prosecution is that on 03.01.2012, at about 11.00 am., the complainant/P.W2 presented a petition before the petitioner/sole accused seeking name transfer of the electricity connection bearing No.229-001-558 in her favour, which stands in the name of her father, namely, Venkatasamy Naidu. The petitioner returned the same directing the complainant to represent the same along with a attested copy of the settlement deed and also asking the complainant to pay a sum of Rs.1,500/- as bribe for effecting name transfer. Hence, the complaint.

3.The learned trial Judge, upon considering the evidence both oral and documentary and on hearing the arguments of both the sides, has passed a judgment dated 22.04.2025, convicting the petitioner for the offences under Section 7 and 13(2) r/w 13 (1)(d) of Prevention of Corruption Act and sentenced him to undergo rigorous imprisonment for a period of two years for the offences under Section 7 of Prevention of Corruption Act and to pay a sum of Rs.5,000/- towards fine, in default, to undergo simple imprisonment for a period of six months and sentenced to undergo rigorous imprisonment for a period of three years for the offence under Sections 13(2) r/w 13 (1)(d) of Prevention of Corruption Act and to pay a sum of Rs.5,000/- towards fine, in default, to undergo simple imprisonment for a period of six months.

4.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and the trial Court has already



CRL MP(MD) No. 6444 of 2025

सत्यमेव जयते
WEB COPY

suspended the sentence of the petitioner till 21.05.2025, in the light of Section 389(3) of Cr.P.C. He would further submit that in compliance of the judgment dated 22.04.2025, the petitioner paid a sum of Rs.10,000/- towards fine.

5.The learned Government Advocate (Crl.side) would fairly concede that the trial Court has suspended the sentence of the petitioner till 21.05.2025.

6.This Court has carefully considered the rival contentions putforth by either side and also perused the materials available on record.

7.Considering the fact that the trial Court has already suspended the sentence of the petitioner till 21.05.2025 and also considering the facts and circumstances of the case, this Court is of the *prima facie* view that the sentence is to be suspended pending this Criminal Appeal.

8.Accordingly, this Criminal Miscellaneous Petition is allowed. The sentence imposed by the learned Special Judge for trial of Cases under the Prevention of Corruption Act cum Chief Judicial Magistrate, Virudhunagar District at Srivilliputhur in Special Calendar Case No.45 of 2014 dated 22.04.2025 is suspended subject to the following conditions:-

- i) 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 for trial of Cases under the



CRL MP(MD) No. 6444 of 2025

WEB COPY

Prevention of Corruption Act cum Chief Judicial Magistrate, Virudhunagar
District at Srivilliputhur

ii) The petitioner shall appear and sign before the Special Judge for trial of Cases under the Prevention of Corruption Act cum Chief Judicial Magistrate, Virudhunagar District at Srivilliputhur, on the first working day of every English calender month at 10.30 a.m., until further orders.

iii) In case, the petitioner is unable to appear before the Court on the first working day of a month, he shall appear on the next working day.

iv) The petitioner shall furnish his residential address and mobile number to the Special Judge for trial of Cases under the Prevention of Corruption Act cum Chief Judicial Magistrate, Virudhunagar District at Srivilliputhur.

sd/-
09/05/2025

/ TRUE COPY /

/05/2025

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

MM

TO

1 THE SPECIAL JUDGE FOR
TRIAL OF CASES UNDER THE PREVENTION OF
CORRUPTION ACT CUM CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.



CRL MP(MD) No. 6444 of 2025

WEB COPY

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

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

+1 CC to M/s.I.PINAYGASH, Advocate (SR-5481[I] dated 12/05/2025)

ORDER
IN
CRL MP(MD) No.6444 of 2025
in
CRL A(MD) No. 562 OF 2025
Date :09/05/2025

SS/SAR- /13/05/2025/ 5P/5C

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