



CRL MP(MD) NO. 6461 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09-05-2025

CORAM

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

CRL MP(MD) NO. 6461 of 2025

IN

CRL A(MD) NO. 570 OF 2025

R.Balachandran

S/o.Ramamoorthy, Formerly Junior Engineer, Public Welfare Department (PWD) K Section, Kulathur Sub Division, Pudukkottai District.

Now resi at No.1/129, Kurinjimalar Street, Vasantha Nagar, Vayaloor Road, Trichy District.

Petitioner/ Appellant

Vs

The State of Tamilnadu

Rep by The Deputy Superintendent of Police, Vigilance and Anti Corruption Unit, Pudukkottai District. Crime No.09/1989.

Respondent/ Complainant

For Petitioner(s):

Mr.B.Fazilkirmani

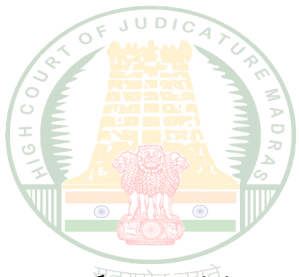
For Respondent(s):

Mr.S.S.Manoj

Government Advocate (Crl.side)

ORDER

This petition has been filed under Section 430 of BNSS, 2023 @ 389 of Cr.P.C., praying to suspend the sentence imposed in Spl.C.C.No.03 of 1997, dated 28.03.2025, passed by the Chief Judicial Magistrate, Pudukkottai and to grant bail to



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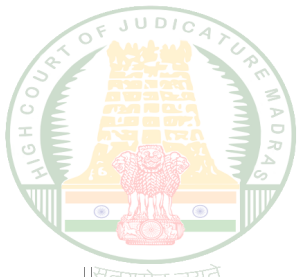
the petitioner, pending disposal of the Criminal Appeal.

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2.The case of the prosecution is that in the project of constructing Anaicut across Velar River, Keeranur between 1985 and 1987, the petitioner was working as Junior Engineer and in the middle of the project, he was transferred. Later, in the year 1989, an FIR was registered as against him alleging that he fabricated the Nominal Muster Rolls by including the names of persons, who were not engaged in the work and swindled the money along with other accused. 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 in Spl.C.C.No.03 of 1997, vide judgment dated 28.03.2025 and thereby convicted the petitioner/accused No.2 and imposed sentence as hereunder:-

<i>Offence</i>	<i>Sentence</i>
<i>u/s 120B of IPC</i>	<i>6 months simple imprisonment</i>
<i>u/s 167 of IPC</i>	<i>1 year simple imprisonment and Rs.3000 fine, in default one month simple imprisonment</i>
<i>u/s 409 of IPC</i>	<i>2 years of simple imprisonment and Rs.3000 fine, in default one month simple imprisonment</i>
<i>u/s 420 of IPC</i>	<i>1 year simple imprisonment and Rs.3000 fine, in default one month simple imprisonment</i>
<i>u/s 467 of IPC</i>	<i>2 years of simple imprisonment and Rs.3000 fine, in default one month simple imprisonment</i>
<i>u/s 477A of IPC</i>	<i>1 year simple imprisonment and Rs.3000 fine, in default one month simple imprisonment</i>



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सत्यमेव जयते
u/s 5(2) of Prevention
of Corruption Act,
1947

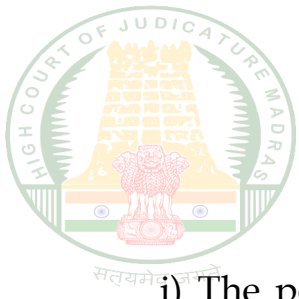
*2 years of simple imprisonment and Rs.5000 fine, in
default one month simple imprisonment*

4.The learned counsel for the petitioner would submit that after the judgment was passed, the petitioner has filed an application before the trial Court to suspend the sentence and the same was allowed and interim suspension of sentence was granted till 28.04.2025. However, due to his age and ill-health, he could not file an appeal within time. Hence, he had filed another application in Crl.M.P.No.17 of 2025 seeking for extension of interim suspension of sentence and the same was allowed by the trial Court and thereby, the sentence is suspended till 16.05.2025.

5.The aforesaid factual aspects has not been disputed by the learned Government Advocate (Crl.side).

6.Considering the fact that the trial Court has already suspended the sentence of the petitioner till 16.05.2025 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.

7.Accordingly, this Criminal Miscellaneous Petition is allowed. The sentence of imprisonment alone imposed by the Chief Judicial Magistrate, Pudukkottai, in Spl.C.C.No.03 of 1997, vide judgment dated 28.03.2025 is suspended subject to the following conditions:-



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- 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 of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the Chief Judicial Magistrate, Pudukkottai.
- ii) The petitioner shall appear and sign before the Chief Judicial Magistrate, Pudukkottai, 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 Chief Judicial Magistrate, Pudukkottai.

sd/-
09/05/2025

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/05/2025
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 CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI.

2.THE DEPUTY SUPERINTENDENT OF POLICE,
VIGILANCE AND ANTI CORRUPTION UNIT, PUDUKKOTTAI DISTRICT.



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

ORDER
IN
CRL MP(MD) No.6461 of 2025
IN
CRL A(MD) No.570 of 2025
Date :09/05/2025

PP/15.05.2025 5P/4C

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