



CRL MP(MD) NO. 6473 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. 6473 of 2025

in

CRL A(MD) NO. 577 of 2025

K.S.Balasubramanian (M/ A 64)
S/o.Subbaiah,
Formerly Tahsildar,
Tirumangalam Taluk,
Madurai District.

Petitioner(s)

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Vigilance and Anti-Corruption Police Station,
Madurai.

(Crime No.2 of 2015)

Respondent(s)

For Petitioner(s):

Mr.S.C.Herold Singh

For Respondent(s):

Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner/ A1 by the Special Court for Exclusive Trial of Prevention



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of Corruption Act Cases, Madurai in Special Case No.2 of 2016 dated 29.04.2025 and
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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, the Special Court for Exclusive Trial of Prevention of Corruption Act Cases, Madurai for the offences punishable under Sections 7 of Prevention of Corruption Act, 1988 and sentenced him to undergo rigorous imprisonment for a period of three years and to pay a fine of Rs.2,000/- (Rupees Two Thousand) in default to undergo simple imprisonment for a further period of two months and for the offence under Sections 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988 and sentenced him to undergo rigorous imprisonment for a period of four years and to pay a fine of Rs.2,000/- (Rupees Two Thousand) in default to undergo simple imprisonment for a further period of six months in Special Case No.2 of 2016 on the file of the Special Court for Exclusive Trial of Prevention of Corruption Act Cases, Madurai.

3. Further, the learned counsel for the petitioner/appellant submitted that the petitioner/appellant is aged about 64 years. He further submitted that the evidence adduced on the defence side was not properly appreciated and the sanction was also



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not proper. There are several infirmities in the prosecution case and further there are contradictions in material particulars between the evidence of 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. The petitioner is about 64 years old.



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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 further, 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 Special Court for Exclusive Trial of Prevention of Corruption Act Cases, Madurai and on further 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

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/05/2025

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

MAC



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TO मेव जयते

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1.THE JUDGE,
THE SPECIAL COURT FOR EXCLUSIVE TRIAL OF PREVENTION
OF CORRUPTION ACT CASES, MADURAI

2.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3.THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI-
CORRUPTION POLICE STATION,
MADURAI

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

+2 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-5548[I] dated 15/05/2025)

ORDER

IN

CRL MP(MD) No.6473 of 2025

IN

CRL A(MD) No.577 of 2025

Date :14/05/2025

HPS/15.05.2025 /5P/7C

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