



Crl.M.P.(MD)No.6494 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.05.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.M.P.(MD)No.6494 of 2025

in Crl.A.(MD)No.582 of 2025

A.Marimuthu

Appellant / Sole Accused

Vs.

The State of Tamil Nadu,
Rep. by The Inspector of Police,
Vigilance and Anti Corruption Division,
Virudhunagar District.
Crime No.02 of 2013.

Respondent / Complainant

For Petitioner(s):

Mr.T.Seeni Syed Amma

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/sole accused by the Special Court for Prevention of



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Corruption cases cum learned Chief Judicial Magistrate Court, Virudhunagar in
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C.C.No.11 of 2014 dated 29.04.2025 and enlarge him on bail.

2. The learned counsel appearing for the petitioner submits that the petitioner is the sole accused in C.C.No.11 of 2014 on the file of the Special Court for Prevention of Corruption cases cum Chief Judicial Magistrate Court, Virudhunagar. The petitioner was found guilty for the offence under Section 7 of Prevention of Corruption Act, 1988 by the Special Court for Prevention of Corruption cases cum learned Chief Judicial Magistrate Court, Virudhunagar, by its Judgment, dated 29.04.2025 and he was convicted and sentenced to undergo 2 years rigorous imprisonment and to pay a fine of Rs.5,000/-, with the default sentence of six months simple imprisonment. Challenging the Judgment of conviction and sentence, the petitioner has preferred an appeal in Crl.A.(MD)No.582 of 2025 along with the petition for suspension of sentence.

3. Further, the learned counsel for the petitioner/appellant submitted that since the Director of Tamil Nadu Cable TV Operator is the competent authority to register the Cable TV Operator, the petitioner has no role to register the Cable TV Operator. Therefore, it is clear that P.W.1 has foisted a false case against the petitioner with ulterior motive.



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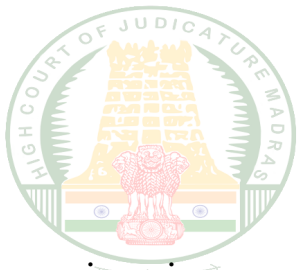
4. The learned Additional Public Prosecutor submitted that there are enough materials available on record against the petitioner/appellant as per the evidence adduced by the prosecution and there is no infirmity in the prosecution case and prays for dismissal of this petition.

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 the prosecution 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



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imprisonment alone is suspended pending disposal of the appeal and the
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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 the
Special Court for Prevention of Corruption cases cum Chief Judicial Magistrate
Court, Srivilliputtur, Virudhunagar District, 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.

BTR

TO

1. THE JUDGE,
THE SPECIAL COURT FOR PREVENTION OF CORRUPTION CASES CUM
CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR DISTRICT @
SRIVILLIPUTTUR.

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



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3. THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTTUR.

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

+1 CC to M/s.M/S.ROY AND ROY ASSOCIATES, Advocate (SR-5564[I] dated
15/05/2025)

ORDER
IN
CRL MP(MD) No.6494 of 2025
IN
CRL A(MD) No.582 of 2025
Date :14/05/2025

HPS/15.05.2025 /5P/6C

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