



Crl.M.P.(MD)No.6495 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.6495 of 2025

in Crl.A.(MD)No.583 of 2025

Devaraj

Appellant

Vs.

The State of Tamil Nadu,
Through The Inspector of Police,
Anti Corruption and Surveillance Division,
Dindigul District.
Crime No.1 of 2009.

Respondent

For Petitioner(s):

Mr.AK.Azagar Sami

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 learned Chief Judicial Magistrate,



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Dindigul in Spl.C.C.No.08 of 2014 dated 28.03.2025 and enlarge him on bail.

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2. The learned counsel appearing for the petitioner submits that the petitioner is the sole accused in Spl.C.C.No.08 of 2014 on the file of the learned Chief Judicial Magistrate, Dindigul. The petitioner was found guilty for the offence under Section 7 of Prevention of Corruption Act, 1988 by the learned Chief Judicial Magistrate, Dindigul, by its Judgment, dated 28.03.2025 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 three months simple imprisonment and also for the offence under Section 13(1)(d) r/w 13(2) of Prevention of Corruption Act, 1988, he was sentenced to undergo 2 years rigorous imprisonment and to pay a fine of Rs.5,000/-, with the default sentence of three months simple imprisonment. Challenging the Judgment of conviction and sentence, the petitioner has preferred an appeal in Crl.A.(MD)No.583 of 2025 along with the petition for suspension of sentence.

3. Further, the learned counsel for the petitioner/appellant submitted that the trial Court has suspended the sentence imposed on the petitioner till 28.04.2025. After the lapse of time, the trial Court issued nonailable warrant against the



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petitioner/appellant on 28.04.2025.

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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.



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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 learned Chief Judicial Magistrate, Dindigul and on further condition that the petitioner shall appear before the said 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 CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.

2. THE INSPECTOR OF POLICE,
ANTI CORRUPTION AND SURVEILLANCE DIVISION,
DINDIGUL DISTRICT.



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

ORDER
IN
CRL MP(MD) No.6495 of 2025
IN
CRL A(MD) No.583 of 2025
Date :14/05/2025

HPS/15.05.2025 /5P/4C

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