



CRL MP(MD) NO. 7280 OF 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17-06-2025

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

CRL MP(MD) NO. 7280 OF 2025

in

CRL A(MD) NO. 655 of 2025

S.Bourdeen
S/o.Sikkandar Batcha, No.1/4, Marunuthu,
Dindigul District.

... Petitioner / Appellant

Vs

The State of Tamilnadu
Rep by The Inspector of Police,
Vigilance and Anti Corruption Wing,
Dindigul District. Crime No.4/2007.

...Respondent

PRAYER : This Criminal Miscellaneous Petition is filed under Section 430(1) of BNSS to suspend the sentence and grant Bail to the appellant / Sole Accused against the judgment dated 26.05.2025, Special C.C.No.2 of 2014 on the file of the Special Judge for trial of cases under the Prevention of Corruption Act, Dindigul in Crime No.4 of 2007 on the file of the respondent pending disposal of the instant Criminal Appeal.



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For Appellant :
WEB COPY Mr.I.Pinaygash

For Respondent:
Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

The Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Special Judge for trial of cases under the Prevention of Corruption Act, Dindigul in C.C.No.2 of 2014 dated 26.05.2025 till the disposal of appeal.

2.The learned counsel for the petitioner submitted that the petitioner has been convicted by the learned Special Judge for trial of cases under the Prevention of Corruption Act, Dindigul, for the alleged offences under Sections 13(2) read with 13(1)(d) and 7 of Prevention of Corruption Act, 1978 and sentenced as follows ;

i) to undergo two years simple imprisonment for a period of 2 years and to pay a fine of Rs.5,000/- (Rupees Five Thousand only), in default to undergo simple imprisonment for a further period of three months, for the offence under Section 7 of Prevention of Corruption Act.

ii) to undergo two years simple imprisonment for a period of 2 years and to pay a fine of Rs.5,000/- (Rupees Five Thousand only), in default to undergo simple imprisonment for a further period of three months, for the offence under Sections 13(2) read with 13(1)(d) of Prevention of Corruption Act.



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3. Learned counsel for the petitioner submitted that the petitioner himself has stated in his evidence that he had given his application only after attaching the essential documents like Patta, Chitta and Adangal and hence there is no necessity for P.W.2 to give any illegal gratification for the accused who is a Village Administrative Officer for granting Patta, Chitta and Adangal. The evidence of the witnesses also would state the above aspect in their evidence.

4. The hearing of the appeal can not be taken immediately. Considering the time delay involved in the matter and also the fact that the petitioner is willing to furnish sureties, I feel the sentence imposed against the accused alone can be suspended on conditions.

5. Hence, the substantive sentence of imprisonment alone is suspended pending disposal of the appeal on the following conditions:

- i. that 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 Prevention of Corruption Act, Dindigul.
- ii. that the petitioner shall appear before the said Court on the first working day of every month, at 10.30 a.m. till the disposal of appeal.



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6. Accordingly, this Criminal Miscellaneous Petition is allowed.

sd/-
17/06/2025

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/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn

To

1. The Special Judge for trial of cases under the Prevention of Corruption Act,
Dindigul.

2.The Inspector of Police,
Vigilance and Anti Corruption Wing,
Dindigul District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1. C.C. to Mr.I.PINAYGASH Advocate SR.No.35113 Dated :18/06/2025

<https://www.mhc.tn.gov.in/judis>



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IN
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in
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Date :17/06/2025

MK/20.06.2025 5P/5C

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