

CRL MP(MD). No.8430 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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Dated : 23/07/2025

CORAM

THE HONOURABLE DR. JUSTICE R.N.MANJULA

**CRL MP(MD). No.8430 of 2025
in CrI.A(MD) No.720 of 2025**

S.P Ganesan

... Petitioner

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Vigilance and Anti Corruption,
Ramanathapuram.
Crime No. 1/2007.

... Respondent

PRAYER :-

This Criminal Miscellaneous Petition is filed to Suspend the sentence imposed by the learned Special Judge cum Chief Juudicial Magistrate, Ramanathapuram in impugned Judgment passed in Spl.C.C.No. 1/2011 dt. 08.05.2025 pending disposal of the Criminal Appeal.

For Petitioner : Mr.A.Aruljeneifer
for M/s.Kbs Law Office

For Respondent : Mr.R.Meenakshi Sundaram
Government Advocate (CrI.Side)



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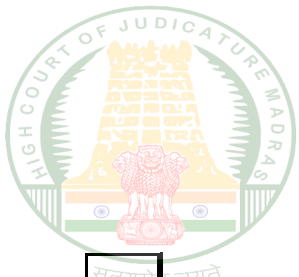
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ORDER

The present appeal has been filed against the Judgment of the learned Special Judge – cum- Chief Judicial Magistrate, Ramanathapuram, dated 08.05.2025, made in Spl.C.C.No.1 of 2011.

2.The petitioner/appellant is the second accused, who has been convicted and sentenced in the following manner:

S. No	Provisions under which convicted	Sentence of imprisonment	Fine amount
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1	सत्यमेव जयते 120(b) IPC	2 Years rigorous imprisonment	Rs.10,000/-, in default to undergo 3 months simple imprisonment
	468 IPC	2 Years rigorous imprisonment	Rs.10,000/-, in default to undergo 3 months simple imprisonment
	471 IPC	2 Years rigorous imprisonment	Rs.10,000/-, in default to undergo 3 months simple imprisonment
	420 IPC	2 Years rigorous imprisonment	Rs.10,000/-, in default to undergo 3 months simple imprisonment
	13(2) r/w 13(1) of PC Act r/w Section 109 IPC	2 Years rigorous imprisonment	Rs.10,000/-, in default to undergo 3 months simple imprisonment

The sentences were ordered to be run concurrently.

3.The case of the prosecution is that the first accused/deceased, who was working as a District Adi-Dravidar Welfare Officer during the period from 01.09.2004 to 01.08.2006 in collusion with the second accused/petitioner/appellant,



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who was the former Vice President of Kovilpatti Carpentry and Blacksmithy Workers Co-operative Cottage Industrial Society Limited, Thirugokarnam, Pudukottai between the period from January, 2006 to March, 2006 and allowed the second respondent to create and produce false quotations for supply of furniture and issued him the order to furnish furniture by obtaining bribe and the second accused to enjoy the illegal pecuniary advantage to the tune of Rs.1,55,682/-.

4.The learned counsel for the petitioner/appellant submitted that the 2nd accused had not furnished any quotation as alleged by the prosecution and he has been convicted on the assumption by making use of the circumstances of unavailability of the first accused, who died on 03.08.2012 before the commencement of trial. Since A1 died, the witnesses were not examined on behalf of the 1st accused and hence, real facts did not come to light and hence, 2nd accused/petitioner/appellant has been convicted only on presumption.

5.The appeal has already been admitted as the petitioner/appellant has made some grounds for detailed hearing. Considering the fact that there are arguable points involved in this criminal appeal and there is no possibility to take up the appeal immediately, I feel it is appropriate to suspend the sentence of imprisonment



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alone on conditions.

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6. Accordingly, the substantive part of the sentence alone is suspended till the 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 cum Chief Juudicial Magistrate, Ramanathapuram;*
- ii. that the petitioner shall appear before the trial Court on all working days at 10.30a.m., till the disposal of the appeal.*

7. Accordingly, this Criminal Miscellaneous Petition is allowed.

sd/-
23/07/2025

/ TRUE COPY /

/07/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

1. THE SPECIAL JUDGE CUM CHIEF JUUDICIAL MAGISTRATE,
RAMANATHAPURAM.



CRL MP(MD). No.8430 of 2025

2. THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION,
RAMANATHAPURAM.

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

ORDER
IN
CRL MP(MD) No.8430 of 2025
IN
CRL A(MD) No.720 of 2025
Date :23/07/2025

NM/25.07.2025/ 6P/4C

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