



CRL MP(MD) No. 9550 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07-08-2025

CORAM

THE HONOURABLE DR JUSTICE R.N.MANJULA

CRL MP(MD) No. 9550 of 2025

in

CRL A(MD) No.774 of 2025

R.Chandran

...Petitioner/ Appellant/ Accused

Vs

The State of Tamil Nadu  
Rep., by The Inspector of Police,  
Vigilance and Anti Corruption, Madurai.  
Crime No.9 of 2015

... Respondent/ Respondent/ Complainant

For Petitioner(s):

Mr.T.Lajapathiroy  
Senior Counsel for M/s.Roy and Roy Associates

For Respondent(s):

Mr.R.Meenakshi Sundaram  
Additional Public Prosecutor

### ORDER

The Criminal Miscellaneous Petition is filed to suspend the sentence of imprisonment imposed on the petitioner by the learned Special Judge (Prevention of



CRL MP(MD) No. 9550 of 2025

Corruption Act), Madurai, dated 09.07.2025 in Special Case.No.01/2017, till the  
WEB COPY  
disposal of appeal.

2. The case of the prosecution is that when the defacto complainant by name Sonai had requested a temporary electricity service connection in order to build a house in the name of his wife in Re.Survey No.31/1A1 in Nedungulam Main Road, the accused demanded a total sum of Rs.9700/- including the bribe amount of Rs.3500/-. When the defacto complainant refused to give bribe, the accused demanded the defacto complainant that he first pay the bribe amount of Rs.3,500/- stating that the estimated amount of Rs.6,200/- would be paid by him after ten days. As the defacto complainant did not intend to give the bribe, he went and gave a complaint to the Vigilance Cell. On the basis of his complaint, a case has been registered and thereafter trap proceedings have been initiated. On 01.10.2015 at about 11.20 a.m, P.W.1 and P.W.2 went to the Panaiyur Electricity Office and met the accused. He insisted again to give Rs.3500/- as bribe and he received it from P.W.2 with his right hand and counted it with his two hands and kept over his table and P.W.2 came outside and gave a signal and when the signal was given, the Engineer and the finger prints of P.W.2 was taken. Phenolphthalein test proved that the accused had received the bribe money and thereafter investigation was



CRL MP(MD) No. 9550 of 2025

completed and charge sheet was filed.

WEB COPY

3. After full-pledged trial, the accused was found guilty and was convicted for the offences under Section 7 and 13(2) r/w 13(1)(d) Prevention of Corruption Act and sentenced to undergo 3 years(R.I) and a fine of Rs.2,000/- in default to undergo 3 months(S.I) for the offence under Section 7 of PC Act and to undergo 4 years (R.I) and a fine of Rs.2000/- in default in default to undergo 3 months (S.I) for the offence under Section 13(2) r/w 13(1)(d) 4 years (R.I).

4. The learned counsel for the appellant submitted that the conversation between the accused and P.W.2 was not proved and that fact has not been properly appreciated by the trial court; the prosecution did not establish the ground for demand in order to make out an offence against the accused; There is no clarity and consistency in the version of the prosecution regarding the bribe amount; The material contradictions between the statement of P.W.2, P.W.3, P.W.6 and P.W.11 have not been taken very seriously; the CD (Ex.P.6), which contains the audio recording of the alleged voice of the accused in connection with the demand has not been issued as per Section 65 (b) of the Indian Evidence Act.



CRL MP(MD) No. 9550 of 2025

WEB COPY

5. The learned Additional Public Prosecutor objected this petition by filing a counter, where it was stated that P.W.4 and P.W.8, who were conversant with the voice of the accused, have been examined and the trial Court has considered the above evidence.

6. However, the learned counsel for the appellant submitted that P.W.4 and P.W.8 have stated in their evidence that they did not listen the conversation between the accused and the defacto complainant. In fact, P.W.8 has stated that he was not available there.

7. Without being witnesses, P.W.4 and P.W.8 can only presume that the voice in the recording is identical to that of the accused, but there cannot be an acceptable evidence. The defacto complainant/P.W.2 has stated in his evidence that his wife has not agreed for installation by having a side arm and he denied her signature also. Ex.P.2 is the basis for the entire case and if that is denied by the defacto complainant, that will have serious impact upon the result of the case.

8. In view of the extraneous circumstances and the vital point now raised and considering the fact that there is no possibility of taking up the appeal within a near future and the undertaking given by the learned counsel for the appellant that the



CRL MP(MD) No. 9550 of 2025

appellant is ready to abide by any condition that may be imposed by this Court, I  
WEB COPY  
feel it is appropriate to suspend the sentence of imprisonment on condition.

9. Accordingly, this Criminal Miscellaneous Petition is allowed. The substantive part of the sentence of imprisonment alone is suspended and the petitioner is enlarged on bail 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 of Prevention of Corruption Case Court, Madurai;
- ii. that the petitioner shall appear before the said Court once in a month (i.e., on the first working day of every English Calender month) at 10.30 a.m. till the disposal of appeal.

sd/-  
07/08/2025

/ TRUE COPY /

08/08/2025  
Sub-Assistant Registrar  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



CRL MP(MD) No. 9550 of 2025

WEB COPY

To

1.The Special Judge of Prevention of Corruption Case Court, Madurai.

2.The Superintendent, Central Prison, Madurai.

3.The The Inspector of Police, Vigilance and Anti Corruption, Madurai.

4.The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.ROY AND ROY ASSOCIATES, Advocate ( SR-8603[I] dated  
08/08/2025 )

ORDER IN

CRL MP(MD) No. 9550 of 2025 in

CRL A(MD) No.774 of 2025

Date :07/08/2025

PR/08.08.2025 6P/6C

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