

*Crl.M.P.(MD)No.13873 of 2025
in Crl.A.(MD)No.1065 of 2025*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09-10-2025

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THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

CRL MP(MD) No.13873 of 2025

in

CRL A(MD) No.1065 of 2025

Tr.R.Chellapandi

**Petitioner/
Appellant**

Vs

The State of Tamil Nadu represented by
The Inspector of Police,
Vigilance and Anti-Corruption,
Madurai,
(Crime No.06 of 2014)

**Respondent/
Respondent**

Prayer in CRL MP(MD).13873 of 2025 : This Criminal Miscellaneous Petition filed under Section 430(1) B.N.S.S. praying to suspend the sentence imposed on the petitioner by the judgment dated 23.05.2025 made in Special Case No.03 of 2015 on the file of the Special Judge for Trial of Prevention of Corruption Act cases, Madurai and enlarge the petitioner on bail pending disposal of the above criminal appeal.

Prayer in CRL A(MD).1065 of 2025 : This Criminal Appeal filed under Section 415(2) B.N.S.S. praying to call for the records and set aside the judgment dated 23.05.2025 made in Special Case No.03 of 2015, on the file of the Special Judge for Trial of Prevention of Corruption Act cases, Madurai.



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For Petitioner: Mr.M.Ramesh

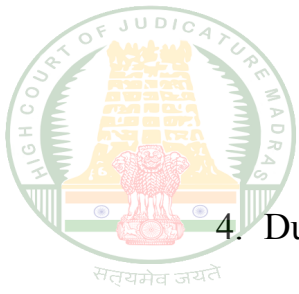
For Respondent: Mr.S.Ravi,
Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence of imprisonment imposed on the petitioner / sole accused by the learned Special Judge, Special Court for Trial of Prevention of Corruption Act cases, Madurai, in Special Case No.03 of 2015 dated 23.05.2025, till the disposal of the appeal.

2. The case of the prosecution is that on 23.09.2014, the petitioner by publicizing himself as the Government employee had demanded Rs.3,000/- as bribe from the defacto complainant for obtaining legal heir certificate for his sister and on 25.09.2014, the defacto complainant gave Rs.3,000/- as demanded to the petitioner and the same was received by the petitioner and hence, FIR came to be registered in Crime No.06 of 2014.

3. The respondent police, after completing the investigation, has filed a final report for the offences under Sections 8 and 9 of the Prevention of Corruption Act and the case was taken on file in Special Case No.03 of 2015 on the file of the Special Court for Trial of Prevention of Corruption Act cases, Madurai.



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4. During trial, the prosecution examined 17 witnesses as P.W.1 to P.W.17, exhibited 68 documents as Ex.P.1 to Ex.P.68 and marked 5 material objects as M.O.1 to M.O.5. The accused adduced neither oral nor documentary evidence.

5. The learned trial Judge, upon considering the evidence both oral and documentary and on hearing the arguments of both the sides, passed the impugned judgment dated 23.05.2025 convicting the petitioner. The petitioner has been found guilty and convicted for the offences under Sections 8 and 9 of the Prevention of Corruption Act and sentenced him to undergo rigorous imprisonment for four years and to pay a fine of Rs.1,500/-, in default to undergo simple imprisonment for a further period of three months for the offence under Section 8 of the Prevention of Corruption Act and to undergo rigorous imprisonment for four years and to pay a fine of Rs.1,500/-, in default to undergo simple imprisonment for a further period of three months for the offence under Section 9 of the Prevention of Corruption Act. The above sentences were ordered to be run concurrently. Challenging the above said conviction and sentence, the sole accused has preferred the present Criminal Appeal along with the above miscellaneous petition for suspension of sentence.

6. The learned counsel appearing for the petitioner would submit that there are



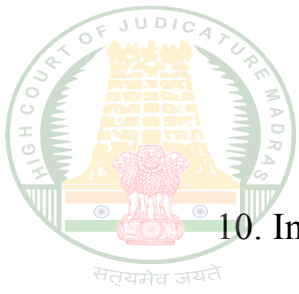
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several infirmities in the prosecution case and further there are contradictions in material particulars between the evidence of the prosecution witnesses. He would further submit that the petitioner is in prison from 23.05.2025.

7. The learned Additional Public Prosecutor appearing for the respondent police would submit that there are enough materials available on record against the petitioner and hence, he strongly opposed to grant suspension of sentence. He would further submit that the petitioner has not paid the fine amount.

8. This Court has carefully considered the rival contentions put forth by either side and also perused the materials available on record.

9. The learned counsel appearing for the petitioner would point out certain infirmities and inconsistencies in this case and also certain contradictions in material particulars. The fact remains 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 and as such, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.



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10. In the result, this Criminal Miscellaneous Petition is ordered. Accordingly, the relief of suspension of sentence and bail is granted to the petitioner on the following conditions:-

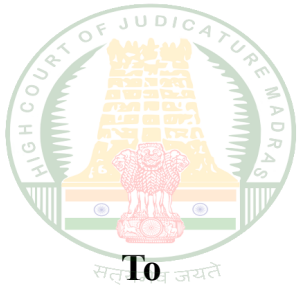
(i) The petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the Special Court for Trial of Prevention of Corruption Act cases, Madurai;

(ii) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and

(iii) The petitioner shall appear before the trial Court once in a month i.e., on the first working day of every English calendar month at **10.30 a.m., until further orders** and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 355 B.N.S.S. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

09-10-2025

CSM



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To

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- 1.The Special Judge,
Special Court for Trial of Prevention of Corruption Act cases,
Madurai.
- 2.Do through the Chief Judicial Magistrate,
Madurai District.
- 3.The Superintendent,
Central Prison,
Madurai.
- 4.The Inspector of Police,
Vigilance and Anti-Corruption,
Madurai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.