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CRL MP(MD) NO. 13954 of 2025
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15-12-2025

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THE HONOURABLE MRS JUSTICE N. MALA

CRL MP(MD) No. 13954 of 2025

IN CRL A(MD) No.744 of 2025

K.Rajaram

Petitioner/Appellant/A2

Vs

State of Tamilnadu through
The Inspector Of Police,
SPE:CBI:ACB:Chennai
RC MA1 2015(A) 0002

Respondent/Respondent

For Petitioner(s):

Mr.N.Anandha Padmanabhan
Senior Counsel
for M/s. APN Law Associates

For Respondent(s): Mr. C.Muthu Saravanan

Special Public Prosecutor for CBI Cases

Prayer: This petition is filed under Section 430 of BNSS, 2023, to Suspend the sentence imposed by the II Additional District and Sessions Court for CBI Act Cases, Madurai, in C.C. No.11 of 2015 dated 05.06.2025 and enlarge the accused on bail pending disposal of the main appeal.



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ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by the learned II Additional District Judge for CBI Cases, Madurai, in C.C.No.11 of 2015 dated 05.06.2025 pending disposal of the above appeal.

2. The petitioner was convicted along with other persons and he was ranked as the third accused.

3. The case of the prosecution is that the accused No.1 and the other accused conspired together and created fictitious Self Help Groups, with fictitious persons as members and opened savings bank accounts in the name of Self Help Groups, and managed to get loans running from Rs.4,25,000/- to Rs.5,00,000/- each, knowing very well that the actual beneficiary was not in existence. Accused Nos.5 and 6 had actually created fictitious and false documents showing the existence of the borrowers. 73 loans were sponsored by A3, a Non Governmental Organization, by creating false documents with the connivance of other accused and to the knowledge of the accused No.1. After the loan was sanctioned and credited in the fictitious accounts of the



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fictitious borrowers, the amounts were transferred to the accused's other accounts. Thus, the accused unlawfully enriched themselves to the tune of Rs. 3,38,38,244/-.

4. After investigation was over and the charge sheet was filed, the accused were subjected to trial and at the conclusion of trial, the learned trial Court, while acquitting the accused No.4, found all other accused guilty for various offences. As far as the accused No.2 is concerned, he was found guilty and convicted and sentenced as follows:

Rank of the Accused	Charges	Conviction	Sentence	Total Fine
A2	Sec. 120-B r/w 468, 471, 420 IPC; Sec. 120-B IPC r/w 13(2) r/w 13(1)(d) PC Act; Sec. 468, 471, 420 IPC;	Convicted on all charges	3 years RI each under conspiracy offences, in default to undergo 6 months of simple imprisonment; 7 years RI under Sec. 468 & 420 IPC, in default 12 months of simple imprisonment; concurrent	Rs.2,63,00,000/-

5. The learned Senior Counsel, appearing for the petitioner/the accused No.2



submitted that the conviction and sentence rendered by the trial Judge is absolutely untenable and it is not in consonance with the evidence placed on record. The learned Senior Counsel further submitted that the requirement of the Government was informed through the accused No.3 and that the petitioner and the accused Nos. 3 and 6 undertook the task of identifying the self-help groups and sponsoring them to the lead bank earmarked for the purpose of executing the Government's policy, which was monitored by the District Collector through periodical meetings.

6. The learned Senior Counsel referred to the evidence of the prosecution witnesses and submitted that the evidence clearly established that the petitioner was not connected with the transactions that took place, since the role of the sponsoring NGO ended the moment the sponsor was made and thereafter it was the duty of the bank officials to scrutinize and decide a sanction of financial assistance to the Self Help Groups. The learned Senior Counsel, further submitted that the learned II Additional District and Sessions Judge for CBI Act Cases, Madurai, lacked power to impose the huge fine and therefore, the fine imposed was illegal. The learned Senior Counsel also submitted that the petitioner, a senior citizen, aged 74 years was incarcerated from the date of judgment i.e from 05.06.2025 and therefore, this Court may liberally consider the issues.



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7. The learned Senior Counsel, for the petitioner referring to the affidavit submitted that the petitioner swore an affidavit that he will not abscond and that he was ready to submit substantial sureties and to abide by any condition to remain at large. The learned Senior Counsel for the petitioner further submitted that with respect to the accused Nos.6, 3 and 5, this Court in CrI.M.P(MD)Nos.8193, 8892 and 9649 of 2025 suspended the sentence of imprisonment and enlarged them on bail on conditions stipulated therein and therefore, prayed for parity with the co-accused.

8. The learned Special Public Prosecutor appearing for the respondent submitted that the petitioner was attempting to deliberately, mislead the facts of the criminal proceedings. The learned Special Public Prosecutor submitted that he petitioner was the main person, who orchestrated the criminal conspiracy enacted by all the other accused and therefore the petition should be rejected.

9. Heard both sides and perused the materials available on record.

10. While considering the similar petitions of the accused Nos.6, 3



and 5, this Court passed orders suspending the sentence of imprisonment by imposing certain conditions. This Court is of the view that the petitioner is entitled to parity with the other accused whose applications for suspension of sentence were ordered by this Court albeit on conditions.

11. It is seen from the orders passed by this Court with regard to the other accused, the total fine imposed by the trial court was reduced to 1/3rd of the amount and the said amount was directed to be paid as a condition for enlargement on bail. The trial court imposed a total fine of Rs.2,63,00,000/- on the petitioner. Following the orders of this Court in CrI.M.P(MD)Nos. 8193, 8892 and 9649 of 2025, dated 03.07.2025, 10.07.2025 and 01.08.2025, this Court deems it appropriate to enlarge the petitioner on bail on condition that the petitioner pays 1/3rd of the total fine amount of Rs.2,63,00,000/- within a week from the date of receipt of a copy of this order.

12. Accordingly, the substantive sentence of imprisonment imposed on the petitioner is suspended pending disposal of this appeal, on the following conditions:

(i) the petitioner shall pay 1/3rd of the total fine amount of Rs.2,63,00,000/- within a week from the date of receipt of a copy of this order;



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ii) the petitioner/appellant is directed to be enlarged on bail on condition that the petitioner/appellant shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties(one Government surety and one private surety) each for a like sum to the satisfaction of II Additional District Court (CBI Cases), Madurai;

(iii) the petitioner shall appear before the CBI Court, Tiruchirappalli, once in a week i.e., on every Monday, 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 317 of Cr.P.C (355 of BNSS) 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.

(iv) furnishing sureties can be done only after payment of fine amount.

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N.MALA., J.

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