



*Crl.M.P.(MD)No.14041 of 2025
in Crl.A.(MD)No.1082 of 2025*

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 16.10.2025

Pronounced on : 05.11.2025

CORAM

THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

CRL MP(MD) No.14041 of 2025

in

CRL A(MD) No.1082 of 2025

A.Rahman @ Kalil Rahman

**Petitioner/
Appellant/
Sole Accused**

Vs

The State of Tamil Nadu, rep by its
The Inspector of Police,
Vigilance and Anti-Corruption Wing,
Madurai.
(Crime No.10 of 2018)

**Respondent/
Respondent/
Complainant**

Prayer in CRL MP(MD).14041 of 2025 : This Criminal Miscellaneous Petition filed under Section 430 B.N.S.S., praying to suspend the sentence imposed on the petitioner by the learned Special Court for trial of cases under Vigilance and Anti-Corruption, Madurai in Special Case No.03 of 2017 dated 25.09.2025 and enlarge him on bail pending disposal of the criminal appeal.



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Prayer in CRL A(MD).1082 of 2025 : This Criminal Appeal filed under Section 415 B.N.S.S., praying to call for the records of the impugned judgment made in Special Case No.03 of 2017 on the file of the learned Special Court for trial of cases under Vigilance and Anti-Corruption Act, Madurai dated 25.09.2025 and set aside the same.

For Petitioner: Mr.M.Jegadeesh Pandian

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 2017 dated 25.09.2025, till the disposal of the appeal.

2. The case of the prosecution is that on 02.11.2015, the petitioner, who was working as an Assistant in the office of Special Deputy Tahsildar (Stamps), had demanded Rs.40,000/- as bribe to release some registered documents of the defacto complainant's daughter-in-law, for which, the defacto complainant gave a complaint to the respondent police and FIR came to be registered in Crime No.10 of 2015 for the offence under Section 7 of the Prevention of Corruption Act and that subsequently, trap operation was organized on 13.11.2015 and on that day, the



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defacto complainant gave Rs.40,000/- as demanded to the petitioner and the same was received by the petitioner. After completing the investigation, the respondent police 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 2017 on the file of the Special Court for Trial of Prevention of Corruption Act cases, Madurai.

3. During trial, the prosecution examined 23 witnesses as P.W.1 to P.W.23, exhibited 52 documents as Ex.P.1 to Ex.P.52 and marked 5 material objects as M.O.1 to M.O.5. The defence adduced neither oral nor documentary evidence.

4. 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 25.09.2025 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.2,000/-, in default to undergo simple imprisonment for a further period of three months for the offence under



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Section 8 of the Prevention of Corruption Act and to undergo rigorous imprisonment for four years and to pay a fine of Rs.2,000/-, 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.

5. The learned counsel appearing for the petitioner would submit that there are 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 has already paid the fine amount and that the petitioner is in prison.

6. 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.



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7. This Court has carefully considered the rival contentions putforth by either side and also perused the materials available on record.

8. 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.

9. 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 cases under Vigilance and Anti-Corruption, Madurai;

(ii) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy



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of their Aadhar card or Bank Pass Book to ensure their identity; and

(iii) The petitioner shall appear before the trial Court on the first and third Monday 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.

05-11-2025

CSM

To

- 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 Wing,
Madurai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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