



*Crl.M.P.(MD)No.16746 of 2025*

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2025

CORAM

**THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR**

Crl.M.P(MD)No.16746 of 2025

in

Crl.A(MD)No.1198 of 2025

V.Panchanathan

... Petitioner

Vs.

State of Tamil Nadu rep. by  
the Deputy Superintendent of Police,  
Vigilance and Anti-Corruption Wing,  
Sivagangai. Crime No.9 of 2009.

... Respondent

**PRAYER :** Criminal Miscellaneous Petition filed under Section 430 of BNSS, to suspend the sentence of imprisonment imposed by the learned Special Judge, Special Court for trial of cases under of Corruption Act, Sivagangai, in Spl.C.C.No.50 of 2014 by judgment dated 29.10.2025 and enlarge the petitioner/appellant on bail, pending disposal of the appeal.

For petitioner : Ms.T.Seeni Syed Amma,  
M/s.Roy and Roy Associates.

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



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## **ORDER**

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed by the learned Special Judge, Special Court for Trial of Cases under Prevention of Corruption Act, Sivagangai District in Spl.C.C.No.50 of 2014, dated 29.10.2025, till the disposal of the appeal.

2.The case of the prosecution is that the petitioner/appellant was serving as a Village Administrative Officer (VAO) at Sivagangai District; that the defacto complainant had approached the petitioner for effecting a patta transfer; that on 25.09.2009, as instructed by the accused, the defacto complainant produced the copies of sale deed, adangal and other relevant documents to the accused to get patta transfer and on that date, the accused demanded a bribe of Rs.5,000/- from the defacto complainant for processing the said request and on the basis of the complaint lodged, FIR came to be registered in Crime No.9 of 2009 for the offence punishable under Sections 7, 13(2) r/w 13(1)(d) of Prevention of Corruption Act.

3. The respondent police, after completing the investigation, has filed the final report and the case was taken on file in Spl.C.C.No.50 of 2014 and



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the same was pending before the Special Court for Trial of Cases under Prevention of Corruption Act, Sivagangai.

4. During trial, the prosecution has examined 12 witnesses as P.W.1 to P.W.12, exhibited 24 documents as Ex.P.1 to Ex.P.24 and marked 5 material objects as M.O.1 to M.O.5. The accused has adduced neither oral nor documentary evidence.

5. The learned Special Judge, upon considering the evidence, both oral and documentary and on hearing the arguments on both the sides, has passed the impugned judgment, dated 29.10.2025 convicting the petitioner/accused for the offence under Section 7 of Prevention of Corruption Act and sentenced him to undergo three years rigorous imprisonment and to pay a fine of Rs.5,000/- in default to undergo three months simple imprisonment and for the offence under Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act, sentenced him to undergo three years rigorous imprisonment and to pay a fine of Rs.5,000/-, in default, to undergo three months simple imprisonment and further ordered that both the sentences of imprisonment to run concurrently. The Trial Court has suspended the sentence imposed on the



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petitioner for a period of one month. Challenging the above said conviction and sentence, the petitioner has preferred the present Criminal Appeal along with the above Miscellaneous Petition seeking suspension of sentence.

6. The learned Additional Public Prosecutor appearing for the State would submit that there are enough materials available on record against the petitioner and hence, he strongly opposed to grant suspension of sentence.

7. 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.

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

9. The learned counsel appearing for the petitioner would point out that certain infirmities and inconsistencies in this case and also certain



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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 suspension of sentence.

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

(i) the petitioner is directed to 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 Prevention of Corruption Act, Sivagangai;

(ii) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Trial Judge may obtain a copy of any valid identity proof to ensure their identity ;

(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



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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.

**12.11.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
das

To

- 1.The Special Judge, Special Court for Trial of Cases under Prevention of Corruption Act, Sivagangai.
- 2.The Deputy Superintendent of Police, Vigilance and Anti-Corruption Wing, Sivagangai.
- 3.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.



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**K.MURALI SHANKAR,J.**

das

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