



Crl.M.P.(MD)No.17
in Crl.A.(MD)No.1243 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 21-11-2025

CORAM

THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

CRL MP(MD) No.17716 of 2025

in

CRL A(MD) No.1243 of 2025

R.Kathiresan

**Petitioner/
Appellant**

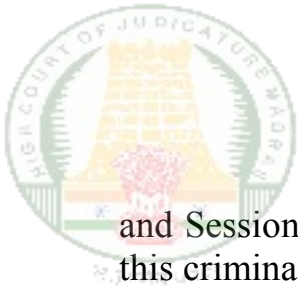
Vs

State of Tamil Nadu represented through
The Inspector of Police,
Vigilance and Anti-Corruption,
Trichy.
(Crime No.10 of 2013)

**Respondent/
Respondent**

Prayer in CRL MP(MD).17716 of 2025 : This Criminal Miscellaneous Petition filed under Section 430 B.N.S.S. praying to suspend the sentence imposed on the petitioner in Spl.C.C.No.03 of 2015 dated 03.11.2025 on the file of Special Court for Vigilance and Anti-Corruption cum District and Sessions Court, Karur and enlarge the petitioner on bail pending disposal of criminal appeal.

Prayer in CRL A(MD).1243 of 2025 : This Criminal Appeal filed under Section 415(2) B.N.S.S. praying to call for records to the judgment in Spl.C.C.No.03 of 2015 dated 03.11.2025 on the file of Special Court for Vigilance and Anti-Corruption cum District



Crl.M.P.(MD)No.17
in Crl.A.(MD)No.1243 of 2025

and Sessions Court, Karur and set aside the same by acquitting the appellant and allow this criminal appeal.

For Petitioner: Mr.V.P.Rajan

For Respondent: Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side)

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 for Vigilance and Anti-Corruption cases / District and Sessions Judge, Karur, in Spl.C.C.No.03 of 2015 dated 03.11.2025, till the disposal of the appeal.

2. The case of the prosecution is that on 07.08.2013, the petitioner / sole accused, who was working as Village Administrative Officer of Periamanjuveli village, had demanded Rs.1,500/- as bribe to transfer the patta in the name of the defacto complainant and his mother, for which, the defacto complainant gave a complaint to the respondent police and FIR came to be registered in Crime No.10 of 2013 for the offence under Section 7 of Prevention of Corruption Act and that subsequently, trap operation was organized on 08.08.2013 and on that day, the defacto complainant gave Rs.1,500/- 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



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in Crl.A.(MD)No.1243 of 2025

offences under Sections 7 and 13(2) r/w 13(1)(d) of Prevention of Corruption Act and the case was taken on file in Spl.C.C.No.03 of 2015 on the file of the Special Court for Vigilance and Anti-Corruption cases / District and Sessions Court, Karur.

3. During trial, the prosecution examined 7 witnesses as P.W.1 to P.W.7, exhibited 19 documents as Ex.P.1 to Ex.P.19 and marked 5 material objects as M.O.1 to M.O.5. The accused examined 1 witness as D.W.1 and exhibited 5 documents as Ex.D.1 to Ex.D5.

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 03.11.2025 convicting the petitioner. The petitioner has been found guilty and convicted for the offences under Sections 7 and 13(2) of Prevention of Corruption Act and sentenced him to undergo rigorous imprisonment for one year and to pay a fine of Rs.10,000/-, in default to undergo simple imprisonment for three months for the offence under Section 7 of Prevention of Corruption Act and to undergo rigorous imprisonment for one year and to pay a fine of Rs.10,000/-, in default to undergo simple imprisonment for three months for the offence under Section 13(2) of Prevention of Corruption Act. The above sentences were ordered to be run concurrently. Challenging



Crl.M.P.(MD)No.17
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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 trial Court has already suspended the sentence imposed on the petitioner till 02.12.2025 and that the petitioner has already paid the fine amount.

6. The learned Government Advocate (Criminal Side) 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.

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



Crl.M.P.(MD)No.17
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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 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 Vigilance and Anti-Corruption cum District and Sessions Court, Karur;

(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.

21-11-2025

CSM



Crl.M.P.(MD)No.17
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To

- 1.The Special Judge for Vigilance and Anti-Corruption cases /
District and Sessions Judge,
Karur.
- 2.Do through the Chief Judicial Magistrate,
Karur District.
- 3.The Inspector of Police,
Vigilance and Anti-Corruption,
Trichy.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.