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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08-12-2025**

CORAM

THE HONOURABLE MRS JUSTICE N. MALA

CRL MP(MD) No. 19336 of 2025

IN CRL A(MD) No. 1319 of 2025

T.Viji

.. Petitioner

Vs

State of Tamil Nadu,
rep., by its
The Inspector of Police,
Vigilance and Anti-Corruption,
Tirunelveli.
Crime No.5 of 2019

.. Respondent

For Petitioner(s):

Mr.M.Jegadeesh Pandian

For Respondent(s):

Mr.B.Nambi Selvan
Additional Public Prosecutor

Prayer: This petition is filed under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, to Suspend the sentence imposed on the petitioner by the learned Sessions Judge, Special Court for Trial of Vigilance and Anti-Corruption Act Cases, Tirunelveli, in Special Case No.01 of 2020 dated 26.11.2025 and enlarge him on bail pending disposal of the criminal appeal.



ORDER

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This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by the learned Sessions Judge, Special Court for Trial of Vigilance and Anti-Corruption Act Cases, Tirunelveli, in Special Case No.01 of 2020 dated 26.11.2025, and enlarge the petitioner on bail pending the disposal of the appeal.

2. Based on the complaint lodged, enquiry was conducted. After completion of enquiry, FIR was registered in Crime No.5 of 2019 for the offence punishable under Section 7 of Prevention of Corruption Act, 1988, against the accused. After completion of investigation, the respondent police filed a charge sheet before the competent authority. The same was taken cognizance by the learned Sessions Judge, Special Court for Trial of Vigilance and Anti-Corruption Act Cases, Tirunelveli, in Spl. Case. No.1 of 2020.

3. The case of the prosecution is that the accused, who is the Deputy Tahsildar of Palayamkottai Taluk, demanded bribe of Rs.5,000/- per month from the complainant for running his quarry with valid license.



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4. During trial, the prosecution examined 14 witnesses as P.W.1 to P.W.14, exhibited 31 documents as Ex.P.1 to Ex.P.31 and marked 6 material objects as M.O.1 to M.O.6. On the side of the defence, one witness was examined as D.W. 1 and 17 exhibits were marked as Ex.D.1 to Ex.D.17 and no material object was marked.

5. The learned Sessions Judge, upon considering the evidence, both oral and documentary and on hearing the arguments on both the sides, passed the impugned judgment, dated 27.11.2025 convicting the petitioner/accused and sentencing him as follows:

Offences	Sentence
Sec. 7 of Prevention of Corruption Act	3 years R.I and a fine of Rs.10,000/- i/d S.I for 1 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 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.



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7. 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.

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 pointed out the infirmities, inconsistencies and certain contradictions in material particulars in the case. It is seen that there are certain arguable points involved in the criminal appeal and further the criminal appeal is not likely to be taken up for final hearing in the near future. Hence, this Court is of the considered view that the petitioner herein is entitled for 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 to enlarge him on bail, until disposal of the above appeal, on the following conditions:-

(i) the petitioner is directed to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the



satisfaction of the Special Court for Trial of Vigilance and Anti-Corruption Act Cases, Tirunelveli;

(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 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.

Rmk

**08-12-2025
(2/2)**

To,
The Inspector of Police,
Vigilance and Anti-Corruption,
Tirunelveli.



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N.MALA., J.

Rmk

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