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CRL MP(MD) NO. 19651 of 2025
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12-12-2025

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THE HONOURABLE MRS JUSTICE N. MALA

CRL MP(MD) No. 19651 of 2025

IN CRL A(MD) No. 1338 of 2025

Selvaraj

Petitioner/Appellant/ Sole Accused

Vs

State of Tamilnadu Rep By
The Inspector Of Police,
Vigilance and Anti-Corruption,
Tiruchirappalli
(In Crime No. 36/2008)

Respondent/Respondent/Complainant

For Petitioner(s):

Mr.S.G.L.Rishwanth

For Respondent(s): Mr. B.Nambi Selvan

Additional Public Prosecutor(V & AC)

Prayer: This petition is filed under Section 430(1) of BNSS to Suspend the sentence imposed by the Special Judge, Special Court for P.C. Act Cases, Tiruchirappalli, in Spl.C.C. No.100 of 2011 dated 25.11.2025 and enlarge the accused on bail pending disposal of the main appeal.



ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed by the learned Special Judge, Special Court for P.C. Act Cases, Tiruchirappalli, in Spl.C.C.No.100 of 2011 dated 25.11.2025, and enlarge him on bail pending the disposal of the appeal.

2. The case of the prosecution is that the defacto complainant went to the petitioner's office for change in patta. At that time, the petitioner demanded a sum of Rs.1000/- as bribe and then reduced it to Rs.700/-. Thereafter, the defacto complainant lodged a complaint against the petitioner and the case was registered against the petitioner by the respondent police in Crime No.36 of 2008. After completion of investigation formalities, final report was filed before the concerned court for the offence under Sections 7, 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988 and final report was taken on file in Spl.C.C. No.100 of 2011.

3. Before the trial court, on the side of the prosecution, 12 witnesses were examined as P.W.1 to P.W.12 and 25 documents were marked as Ex.P.1 to Ex.P. 26. Three material objects were marked as M.O.1 to M.O.3. On the side of the accused, one witness was examined as D.W.1 and four documents were Ex.D.1 and Ex.D.4.

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4. The Special Judge, Special Court for P.C. Act Cases, Tiruchirappalli, upon considering the evidence both oral and documentary and on hearing the arguments on both the sides, has passed the impugned judgment dated 25.11.2025, convicting the petitioner as follows:

S.No.	Offence	Sentence	Fine	In default sentence
1.	Section 7 of the Prevention of Corruption Act	2 years imprisonment	Rs.1,000/-	3 months simple imprisonment
2.	Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act	2 years imprisonment	Rs.1,000/-	3 months simple imprisonment

Further, it was ordered that the sentences of imprisonment would run concurrently.

5. Challenging the above said conviction and sentence, the appellant 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 incongruities in the prosecution case and further there are contradictions in material particulars in the evidences of the prosecution witnesses. He would further submit that the petitioner has already paid the fine



amount. The learned counsel would further submit that the trial court in CrI.M.P.No.554 of 2025 in Special C.C. No.100 of 2011 has suspended the sentence till 26.12.2025.

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 incongruities, inconsistencies and contradictions in material particulars in the prosecution's case, which establish that there are certain arguable points in the criminal appeal. 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. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal with the following directions:



(i) the petitioner is directed to be enlarged on bail on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, within a period of 10 days from the date of receipt of a copy of this order, each for a like sum to the satisfaction of the Special Judge, Special Court for P.C. Act Cases, Tiruchirappalli;

(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.

12-12-2025

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To,
The Inspector Of Police,
Vigilance and Anti-Corruption,
Tiruchirappalli
(In Crime No. 36/2008)



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N.MALA., J.

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