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CRL MP No. 3197 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 23-02-2026**

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**THE HON'BLE MR JUSTICE M. NIRMAL KUMAR**

CRL MP No. 3197 of 2026  
in CRL A No. 206 of 2026

M.Indirani  
W/o.Jayabalan

..Petitioner(s)

Vs

The Inspector of police  
Vigilance and Anti Corruption,  
Cuddalore.

..Respondent(s)

Prayer:Petitioner filed under Section 430 (2) r/w Section 483 (1) of BNSS, 2023, seeking to suspend the sentence imposed on the petitioner/Appellant in Special C.C.No. 47/2025 by the learned the Principal Sessions Judge, Cuddalore vide judgement dated 16.02.2026 and enlarge the petitioner /Appellant on bail pending disposal of the Criminal Appeal.

For Petitioner(s): Mr.M.Palanivel

For Respondent(s): Mr.S.Udayakumar  
Government Advocate (Crl. Side)

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner / A2 vide judgment dated 16.02.2026 in Spl.C.C.No.47 of 2025 by the learned Principal Sessions Judge, Cuddalore and grant bail to the petitioner, pending disposal of the above criminal appeal.



2. The petitioner/ A2 in Spl.C.C.No.47 of 2025 was convicted by the Trial Court vide judgment dated 16.02.2026 for the offences under Sections 7 and 13(2) r/w 13(1)(d) r/w 12 of Prevention of Corruption Act. The petitioner/A2 was sentenced to undergo three (3) years rigorous imprisonment and to pay a fine of Rs.5,000/-, in default, to undergo three (3) months simple imprisonment, for the offence under Section 7 of Prevention of Corruption Act and for the offence under Sections 13(2) r/w 13(1)(d) r/w 12 of Prevention of Corruption Act, sentenced to undergo three (3) years rigorous imprisonment and to pay a fine of Rs.5,000/-, in default, to undergo three (3) months simple imprisonment. The petitioner / appellant was directed to undergo the sentence concurrently. Aggrieved by the said conviction, the petitioner filed CrI.A.No.206 of 2026 before this Court along with the instant miscellaneous petition seeking suspension of sentence and bail.

3.The contention of the learned counsel for the petitioner is that the petitioner / A2 is a former Extension Officer, Social Welfare Department, Panchayat Union, Vridhachalam of Cuddalore District. The case projected against the petitioner is that the trap amount was recovered from the petitioner's hand bag. According to the petitioner, on the day of the alleged trap, the petitioner was not in the office and she was in the field. The admitted position of the respondent is that A1, Rural Welfare Officer (Women), Panchayat Union, Vridhachalam, said to have made a demand with the defacto complainant



Rs.1,000/- and the amount was received by her. Later, it is projected that the trap amount was found in the petitioner's bag. Admittedly, the petitioner was not in the office. Added to it, the respondent had produced only Rs.500/- in this case and the balance Rs.500/- of the trap amount deposited in a fixed deposit and no fixed deposit receipt or any details produced. The trial Court, merely on the recovery of Rs.500/- from the petitioner's hand bag, despite petitioner giving explanation, not considered the same. He further submitted that the trial Court had suspended the sentence of the petitioner till 16.03.2026.

4.The learned Government Advocate submitted that on the complaint of the defacto complainant, a case was registered. The complaint is that on 09.07.2011, at about 10.00 a.m. the 1<sup>st</sup> accused demanded Rs.1000/- as illegal gratification from the defacto complainant through phone to PW15, and PW15 in turn had informed the same to her father and paid the bribe amount and got the cheque granted under "Moovalur Ramairtham Ammayar Memorial Financial Assistance". On 12.07.2011, A1 in this case has reiterated the demand. On 13.07.2011 at about 3.00 p.m. the trap was laid, illegal gratification received by A1. Later, this bribe amount was handed over to A2, who accepted the same and knowing that it is an illegal gratification, received the amount and kept in her hand bag. Thereafter, the hand wash of A1 and A2 taken and the petitioner / A2's hand wash confirmed that she received and handled the bribe amount. Hence, after collection of evidence and materials and



on conclusion of investigation, charge sheet filed against A1 and A2. A1 in this case, during the trial passed away. And the case against the petitioner / A2 proceeded.

5. During trial, PW1 to PW24 examined. Ex.P1 to Ex.P44 marked and MO1 to MO6 produced. On the conclusion of trial, the trial Court convicted the petitioner / A2 and passed the detailed judgment on 16.02.2026 in Special C.C.No.47 of 2025 convicting the petitioner.

6. Considering the submissions and perusal of materials, it is seen that the admitted case of the prosecution is that it was A1 who had made the demand for bribe amount on more than one occasion and thereafter the bribe amount was received by A1, which amount has been handed over to A2 and to the question whether the petitioner / A2 is aware about the demand of bribe and received the amount from her colleague, knowing it to be a bribe is the moot point. Though A2 had given her explanation but not produced any evidence in this regard except the explanation. The trial Court rejected the explanation.

7. On perusal of the explanation received, it is seen that the explanation is reasonable. Further, the petitioner had never made any demand. It is only based on the recovery from the petitioner hand bag she is prosecuted. For a trap case, demand, acceptance and recovery all to be proved. In this case, admittedly



demand and receipt of bribe amount by A2 is not there. Hence, there are arguable points involved in this appeal and it would take some time for the appeal to be taken up for final hearing, this Court is inclined to suspend the sentence imposed on the petitioner /A2.

8. Accordingly, the substantive sentence of Imprisonment alone is suspended till the disposal of the above appeal and the petitioner is ordered to be enlarged on bail, on condition that she shall execute a bond each for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the trial Court.

9. Further, the petitioner/ A2 shall appear before the Trial Court once in every six (6) months, on the first working day of English Calendar month at 10.30 a.m., until the disposal of the criminal appeal, and if they are not able to appear before the Trial Court on that day, they shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the Trial Court on any other day in lieu of the date of their absence as directed by the Trial Court.

10. On breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioner in



M.NIRMAL KUMAR, J.

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accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

11.This Criminal Miscellaneous Petition is ordered accordingly.

23-02-2026  
(2/2)

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No

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To.

1.The Principal Sessions Judge  
cuddalore

2.The Public Prosecutor  
High Court of Madras  
Chennai 600 104.

3.The Inspector of police  
Vigilance and Anti Corruption,  
Cuddalore.

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