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Crl.MP.No.5420 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2026

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.MP.No.5420 of 2026

in

Crl.A.No.326 of 2026

Mathiyalagan,
Formerly Wireman, Melur (O & M),
Tamil Nadu Electricity Board,
Thiruvallur.
Now residing at: No.8, 3rd Street, Thazhangkuppam,
Kattivakkam, Thiruvallur, Ennore Thermal Station,
Tamil Nadu – 600 057.

...Petitioner

Vs.

The Inspector of Police,
Vigilance and Anti-Corruption,
City Special Unit-I, Chennai.
Crime No.9/AC/12/CC-I.

...Respondent

Criminal miscellaneous petition filed under Section 430(2) of BNSS, seeking to suspend the sentence imposed on the petitioner/ appellant herein by the learned Principal District and Sessions Judge, Thiruvallur in VAC No.4 of 2025, vide judgment dated 27.02.2026 and enlarge the petitioner on bail pending disposal of the above criminal appeal on the files of this Court.

For Petitioner : Mr.K.Shanker

For Respondent : Mr.S.Udayakumar, GA (Crl. Side)



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ORDER

This criminal miscellaneous petition has been filed by the petitioner seeking suspension of sentence imposed by the learned Principal District and Sessions Judge, Thiruvallur, in VAC No.4 of 2025, vide judgment dated 27.02.2026.

2. The conviction and sentence imposed against the petitioner/appellant, vide impugned judgment are as follows:-

<i>Under Section</i>	<i>Sentence</i>
7 of the Prevention of Corruption Act, 1988	To undergo three years rigorous imprisonment and a fine of Rs.10,000/-, in default, to undergo six months simple imprisonment.
13(2) r/w. 13(1)(d) of the Prevention of Corruption Act, 1988	To undergo three years rigorous imprisonment and a fine of Rs.10,000/-, in default, to undergo six months simple imprisonment.

3. Learned counsel for the petitioner/appellant submitted that the petitioner is an innocent person and though the case of the prosecution is that the petitioner, who was an Wireman in the Tamil Nadu Electricity Board at the relevant point of time, demanded a sum of Rs.5,000/- towards illegal gratification from the de facto complainant for erection of electrical post and other connection works and subsequently reduced the

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bribe amount to Rs.4,000/-, the prosecution has not proved the demand and acceptance of the bribe beyond reasonable doubt. Further, there are several significant discrepancies in the prosecution's evidence. However, the trial Court, without considering the same, had mechanically convicted the petitioner for the abovesaid offences, which is not sustainable. He further submitted that the trial court had suspended the sentence of imprisonment imposed on the petitioner for a period of one month ie., till 26.02.2026 and the petitioner paid the entire fine amount imposed by the trial court. He also submitted that there are arguable points in the criminal appeal, which is unlikely to be taken up for final hearing in the near future and the petitioner/appellant has a fair chance of succeeding in the appeal and hence, the sentence imposed on the petitioner/appellant may be suspended.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent submitted that the trial court, relying upon the materials on record and cogent evidence adduced by the prosecution, had rightly convicted the petitioner for the aforementioned offences, which cannot be termed erroneous or unsustainable. Hence, he strongly opposed for granting suspension of sentence.



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5. Heard the learned counsel on either side and perused the materials on record.

6. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel for the petitioner/appellant, this Court is inclined to grant the relief of suspension of sentence to the petitioner, till the disposal of the criminal appeal, on certain conditions.

7. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner/appellant is ordered to be released on bail on his executing 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 learned Principal District and Sessions Judge, Thiruvallur and on further conditions that:-

(i) The petitioner/appellant and the sureties shall affix their photographs and left thumb impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Passbooks to ensure their identities.

(ii) The petitioner/appellant shall appear before the trial Court on the first working day of every English calendar month at 10.30 a.m., until further orders.



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(iii) If the petitioner is not able to appear before the trial Court on that day, he shall make arrangements to file an application under Section 317 of Cr.P.C. 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.

8. This criminal miscellaneous petition stands ordered accordingly.

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To:

1. The Principal District and Sessions Judge,
Thiruvallur.
2. The Inspector of Police,
Vigilance and Anti-Corruption,
City Special Unit-I, Chennai.
Crime No.9/AC/12/CC-I.
3. The Public Prosecutor,
Madras High Court.



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A.D.JAGADISH CHANDIRA, J.

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