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CrI.MP.No.6321 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2026

CORAM:

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

CrI.MP.No.6321 of 2026

in

CrI.A.No.428 of 2026

B.Praveen Kumar

...Petitioner

Vs.

State rep. by,
The Inspector of Police,
Central Bureau of Investigation,
Anti-Corruption Branch, Shastri Bhavan,
Chennai.
(RC MA1 2019 A 0026)

...Respondent

Criminal miscellaneous petition filed under Section 430(1) of BNSS, seeking to suspend the sentence imposed on the petitioner in C.C.No.8 of 2021 dated 27.03.2026 by the learned XIV Additional Special Judge for CBI Cases, Chennai – 104 and enlarge the petitioner on bail.

For Petitioner : Mr.V.Illanchezian

For Respondent : Mr.K.Srinivasan, Spl.PP (CBI)



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ORDER

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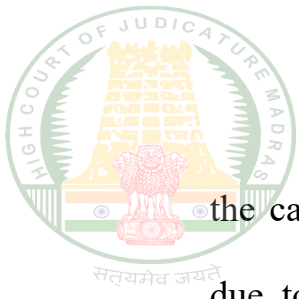
This criminal miscellaneous petition has been filed by the petitioner seeking suspension of sentence imposed by the learned XIV Additional Special Judge for CBI Cases, Chennai, in C.C.No.8 of 2021, vide judgment dated 27.03.2026.

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

<i>Under Section</i>	<i>Sentence</i>
120B r/w. 420, 467, 468 & 477A of IPC, Section 13(2) r/w. 13(1)(d) of PC Act and Section 66C of Information Technology Act	To undergo four years rigorous imprisonment and a fine of Rs.10,000/-, in default, to undergo three months simple imprisonment.
420 of IPC	To undergo two years rigorous imprisonment and a fine of Rs.10,000/-, in default, to undergo three months simple imprisonment.
The sentences were ordered to run concurrently	

3. The submissions made by the learned counsel for the petitioner are as follows:

3.1 The petitioner is innocent and he is the brother of the main accused and was working as the Sub-Inspector of Police during the relevant point of time and without any knowledge of the background of



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the case, he received a total sum of Rs.2,50,990/- on various dates and due to his preoccupations, the petitioner failed to scrutinize his bank account properly. However, immediately upon realizing that these amounts had been wrongly credited to his account, he promptly repaid the entire sum to the Tax Department even before the date of complaint and if the petitioner had any criminal intent as alleged by the prosecution, he would not have voluntarily returned the funds prior to any legal action.

3.2 The petitioner paid the entire fine amount imposed by the trial Court and he is in prison from the date of judgment ie., 27.03.2026 till date.

3.3 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 has a fair chance of succeeding in the appeal. Hence, the sentence imposed on the petitioner may be suspended and the petitioner/appellant may be enlarged on bail.

4. Per contra, the learned Special Public Prosecutor (CBI) appearing for the respondent vehemently opposed for grant of suspension of sentence stating that the petitioner, in collusion with the main accused, who is none other than his brother, involved in the large-scale fraudulent



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generation and issuance of income tax refunds through system manipulation, using forged documents and fictitious identities between 04.06.2015 and 31.08.2019, resulting in a wrongful loss of approximately Rs.2.38 crores to the Government exchequer. He further submitted that the petitioner repaid the amounts only after the fraud was unearthed by an audit and a formal notice was issued and the close nexus and the family relationship between the petitioner and A1 clearly demonstrates the criminal intent on the part of the petitioner. The Trial Court, having thoroughly considered the oral and documentary evidence, rightly found the petitioner/appellant guilty and convicted and sentenced him, as stated above and the same does not warrant interference.

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 that the petitioner has repaid the wrongfully credited amounts, this Court is inclined to grant the reliefs of suspension of sentence and bail to the petitioner, till the disposal of the criminal appeal, on certain conditions.



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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.15,000/- (Rupees Fifteen Thousand only), with two sureties, each for a like sum to the satisfaction of the learned XIV Additional Special Judge for CBI Cases, Chennai and on further conditions that:-

(i) 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. for a period of three months, commencing from May, 2026 and thereafter, shall appear before the trial Court on the 1st working day of every third month, until further orders.

(iii) In the event of the petitioner not being able to appear before the trial Court on the specified date, he shall be duly represented by his counsel, who shall file an application under Section 317 Cr.P.C before the trial Court and the petitioner shall appear before the trial Court on such other date(s) as directed by the trial Court.



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8. This criminal miscellaneous petition stands ordered accordingly.

24.04.2026
(2/2)

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To:

1. The XIV Additional Special Judge for CBI Cases,
Chennai.
2. The Central Prison,
Puzhal.
3. The Inspector of Police,
Central Bureau of Investigation,
Anti-Corruption Branch, Shastri Bhavan,
Chennai.
4. The Public Prosecutor,
Madras High Court.



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A.D.JAGADISH CHANDIRA, J.

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