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CRL MP No. 8406 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-05-2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CRL MP No. 8406 of 2026

IN

CRL RC NO. 1038 OF 2026

G.Panneerselvam (Contractor)
S/o.Gurubatham, No.44, GRP Street,
Villupuram.

..Petitioner(s)

Vs

State represented by:

The Inspector of Police,
District Crime Branch,
Cuddalore.

..Respondent(s)

PRAYER: This Criminal Miscellaneous Petition has been filed under Section 482 of B.N.S.S. to suspend the sentence passed by the learned Chief Judicial Magistrate, Cuddalore in C.C.No. 73/2019, dated 27.04.2026, passed in pursuant to the order of conviction in Crl.A.No. 24/2024, by the learned I Additional District and Sessions at Cuddalore dated 24.03.2026, reversing the order of Acquittal passed on dated 12.12.2023, in C.C.No. 73/2019, by the Learned Chief Judicial Magistrate, Cuddalore, pending disposal of the above Criminal Revision Petition.

For Petitioner(s): Mr. B.Balavijayan

For Respondent(s): Mr. A. Damodaran,
Additional Public Prosecutor.

**ORDER**

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This Criminal Miscellaneous Petition has been filed seeking suspension of sentence of imprisonment, imposed on the petitioner in CC.No.1066 of 2023 dated 05.02.2024 on the file of the XVIII Metropolitan Magistrate, Saidapet.

2. The conviction and sentence imposed against the petitioner/appellant, who is A1 in C.C. No.1066 of 2023, vide impugned judgment are as follows:-

<i>Under Sections</i>	<i>Sentence</i>
120-B of IPC	6 months of Rigorous Imprisonment and a fine of Rs.1,000/-, in default, one month simple imprisonment..
420 of IPC	2 years of Rigorous Imprisonment and a fine of Rs.3,000/-, in default, simple imprisonment for 2 months.
468 of IPC	3 years of Rigorous Imprisonment and Rs.3,000/- as fine, in default, to undergo 3 months simple imprisonment.
471 of IPC	3 years of Rigorous Imprisonment and Rs.3,000/- as fine, in default, to undergo 3 months simple imprisonment.
	All the sentences shall run concurrently.

3. The instant petition has been filed to suspend the sentence imposed on the petitioner pending disposal of the above revision.

4. The case of the prosecution is as per G.O. No.5/Adi Dravidar Welfare



Department dated 09.01.2012, a total of 779 works were sanctioned and proceedings were issued under the Adi Dravidar Welfare Schemes for TAHDCO

– Tamil Nadu Adi Dravidar Housing and Development Corporation Ltd., to construct toilet buildings in the Adi Dravidar Welfare Schools of the State in which 88 Schools within the Cuddalore Sub-Division under the Villupuram Division of TAHDCO was sanctioned and out of which 14 works relating to Adi Dravidar Welfare Schools situated at V.Kumaramangalam, Manakkadu, Bu.Udaiyur, Karmankudi, Mudikandanallur, Thatchur, Thuringikollai, Pattikudikadu, Sirumangalam, Theevalur, Ko.Mangalam, T.Pudur and T. Manalur villages were given to the 1st accused Paneerselvam under separate agreements executed by completed authorities on various dates with specified contract amount. The toilet construction work at Karkoodal School was completed and the remaining works were not completed. The 1st accused Panneerselvam, in conspiracy with the then Government officials, namely the accused 2 to 4, with a common intention, dishonestly and fraudulently, cheated and created false records by making fictitious entries in measurement books, preparing false statements and accounts, and making it appear as though the works were fully completed or executed in excess, though such works were either partially completed or not executed at all. The accused 2 to 4, knowing fully well that the measurements and records were false, affixed their signatures and fabricated documents to support such false claims by passing bills and issuing payment orders based on such false records, and by inducing the witness



to sign the same under false pretences, thereby facilitating issuance of cheques in favour of the 1st accused. The 1st accused, having knowledge of the falsity of such records, encashed the said cheques. Thus, all the accused persons, namely A1 to A4, in furtherance of their common intention and criminal conspiracy, have cheated the Government and misappropriated Government funds to the tune of Rs.34,24,419/-, Hence the case.

5. The learned counsel for the petitioner would submit that the learned First Appellate Judge reversed the findings of the trial Court acquitting the accused. He would further submit that the petitioner/appellant is an innocent and has been falsely implicated in this case, that there is no misappropriation of funds or loss caused to the Government and in fact the work allotted to the petitioner was duly completed and the First Appellate Court failed to appreciate the facts. The learned counsel would further submit that there are arguable points available in the Criminal Appeal and that the petitioner/appellant has a fair chance of succeeding in the appeal and hence, he prayed to suspend the sentence imposed on the petitioner.

6. The learned Additional Public Prosecutor appearing for the respondent would submit that the trial Court, after taking into consideration the oral and documentary evidence produced by the prosecution, rightly found the petitioner/appellant guilty and convicted and sentenced him, as stated above.

7. Heard the learned counsel for the petitioner and the learned Additional



Public Prosecutor appearing for the respondent and perused the materials available on record.

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8. Having regard to the submission made by the learned counsel for the petitioner that there are substantial grounds raised in the above revision which require consideration, this Court is inclined to grant suspension of sentence and exempt the petitioner from surrendering before the Trial Court, subject to the following conditions:

(i) The petitioner shall execute a bond for a sum of Rs.10,000/-, with two sureties, each for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Cuddalore;

(ii) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity; and

(iii) The petitioner shall appear before the Trial Court on the first working day of every month at 10.30 a.m. until the disposal of the appeal 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 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.

9. Accordingly, this Criminal Miscellaneous Petition is ordered.

06-05-2026

[2/3]

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MJS / VEDA

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The I Additional District and Sessions at Cuddalore.
2. The Chief Judicial Magistrate, Cuddalore.
3. The Inspector of Police, District Crime Branch, Cuddalore.
4. The Public Prosecutor, High Court of Madras.



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CRL MP No. 8406 of 2026



L.VICTORIA GOWRI, J.

MJS / VEDA

**CRL MP No. 8406 of 2026
IN
CRL RC NO. 1038 OF 2026**

**06-05-2026
[2/3]**



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

**CRL MP No. 8406 of 2026
in Crl.R.C.No.1038 of 2026**

G.Panneerselvam (Contractor)
S/o.Gurubatham, No.44, GRP Street,
Villupuram.

Petitioner(s)

Vs

State Represented by the
The Inspector of Police,
District Crime Branch, Cuddalore.

Respondent(s)

PRAYER

To suspend the sentence passed by the learned Chief Judicial Magistrate, Cuddalore in C.C.No.73/2019, dated 27.04.2026, passed in pursuant to the order of conviction in Crl.A.No.24/2024, by the learned I Additional District and Sessions at Cuddalore, dated 24.03.2026, reversing the Order of Acquittal passed on dated 12.12.2023, in C.C.No.73/2019, by the Learned Chief Judicial Magistrate, Cuddalore, pending disposal of the above Criminal Revision Petition.

For Petitioner(s): Mr.B.Balavijayan

For Respondent(s): Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The matter is today listed under the caption 'for being mentioned'.

2.The learned counsel appearing for the petitioner submitted that in the



order dated 06.05.2026 made in Crl.M.P.No.8406 of 2026 in Crl.R.C.No.1038 of 2026 instead of

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‘This Criminal Miscellaneous Petition has been filed seeking suspension of sentence of imprisonment, imposed on the petitioner in C.C.No.73 of 2019 dated 27.04.2026 on the file of the Chief Judicial Magistrate, Cuddalore.

2. The conviction and sentence imposed against the petitioner/appellant, who is A1 in C.C. No.73 of 2019, vide impugned judgment are as follows:-’,

inadvertently, it has been mentioned as

‘This Criminal Miscellaneous Petition has been filed seeking suspension of sentence of imprisonment, imposed on the petitioner in CC.No.1066 of 2023 dated 05.02.2024 on the file of the XVIII Metropolitan Magistrate, Saidapet.

2. The conviction and sentence imposed against the petitioner/appellant, who is A1 in C.C. No.1066 of 2023, vide impugned judgment are as follows:-’, and prayed for appropriate orders.

3.In view of the above, Paragraph no.1 and the relevant portion of Paragraph no.2 of the order dated 06.05.2026 made in Crl.M.P.No.8406 of 2026 in Crl.R.C.No.1038 of 2026, is to be read as follows:

“This Criminal Miscellaneous Petition has been



filed seeking suspension of sentence of imprisonment, imposed on the petitioner in C.C.No.73 of 2019 dated 27.04.2026 on the file of the Chief Judicial Magistrate, Cuddalore.

2. The conviction and sentence imposed against the petitioner/ appellant, who is A1 in C.C. No.73 of 2019, vide impugned judgment are as follows:-"

4.Registry is directed to carry out the necessary corrections and re-issue copy of the order to the respective learned counsel appearing for the parties.

14-05-2026

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

To

- 1.State rep.by The Inspector of Police,
District Crime Branch, Cuddalore.
- 2.The I Additional District and Sessions at Cuddalore.
- 3.The Chief Judicial Magistrate, Cuddalore.



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CRL MP No. 8406 of 2026



L.VICTORIA GOWRI J.
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**CRL MP No. 8406 of
2026
in CrI.R.C.No.1038 of
2026**

14-05-2026