Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

CRL MP No. 21039 of 2026
IN
CRL A NO. 1376 OF 2026

R.Rajini
S/o Raman,
Village Administrative Officer,
Thuppukanapalli,
Hosur Taluk, Krishnagiri District.
Residing at,
Plot No.10, 1st Floor,
C.C.Nagar, Shanthi Nagar East,
Hosur, Krishnagiri.

..Petitioner(s)

Vs

The State Rep. by, The Inspector of Police
Vigilance and Anti-Corruption,
Krishnagiri.
Crime No.3/2015/AC/KG

..Respondent(s)

To Suspend the sentence and enlarge the petitioner on bail connected in Spl.CC.No.18 of 2025 dt.13.10.2026 on the file of the Learned Principal District and Sessions Judge,Krishnagiri.

For Petitioner(s): Mr.P.Ezhil Nilavan

For Respondent(s): Mr.Arun Anbumani, APP

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The petitioner seeks suspension of sentence imposed under Section Section 7 of the Prevention of Corruption Act and under Sections 13(2) read with 13(1)(d) of the Prevention of Corruption Act.

2. The petitioner was working as Village Administrative Officer. It was alleged by the defacto complainant that the petitioner had demanded a sum of Rs.3,000/- for making arrangements to transfer the patta to his name. In pursuance of this demand, he has also received a sum of Rs.1,000/- as advance . On 29.12.2014, when the defacto complainant approached the petitioner/appellant, it is alleged that he again renewed the demand. When the defacto complainant urged that he is not in a position to satisfy the same, he reduced the amount and demanded a fresh amount of Rs.1,000/-. The defacto complainant was not willing to pay the bribe and had lodged a complaint with the respondent police.

3. A trap was laid. The petitioner was trapped and the final report was filed. It was taken on file as Spl. C.C.No.18 of 2025 on the file of the learned Principal District and Sessions Judge, Krishnagiri.

4. The prosecution examined 9 witnesses and marked 30 documents and 6 material objects. On the side of the accused, he examined one witness and no

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documents have been marked. On the basis of evidences so let in, the learned trial Judge came to a conclusion that the petitioner is guilty as charged. Hence, imposed the punishment under the aforesaid provisions. Aggrieved by the same, the present appeal.

5. Mr.P.Ezhil Nilavan, appearing for the petitioner/appellant submitted that the star witness, namely PW2 had turned hostile. He had specifically deposed before the Court that he had not filed an application seeking transfer of patta with the petitioner but only with the jurisdictional Tahsildar Office. Hence, he argues, when no application was filed before the petitioner/appellant, the question of him making a demand for mutating the patta from the names of PW2's parents to his name does not arise. He further adds that the Village Assistant, who was working along with the petitioner, had stated that apart from the petitioner, several others were surrounding him at the time of trap. Therefore, there is a distinct possibility that somebody else could have planted the money into the hand bag of the petitioner.

6. Mr.Arun Anbumani states that all these aspects have been properly considered and the story of the petitioner had been rightly rejected by the trial Court. He states that the application does not deserve any consideration and that the same may be dismissed.

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7. I have carefully considered the submissions of both sides. I have gone through the records.

8. *Prima facie,* I am of the view that if the two submissions made by the petitioner are accepted, the possibility of the appeal being allowed is very distinct. Unless and until there is a demand and satisfaction, the case under the Prevention of Corruption Act will not be made out. Furthermore, as the presence of the money in the hand bag of the petitioner is itself in under a cloud. I am of the view that the application deserves consideration.

9. Furthermore, as the appeal is being of the year 2026, the possibility of the appeal being taken up for disposal is remote. Hence, this criminal miscellaneous petition stands allowed. The sentence of imprisonment imposed on the petitioner is suspended and the petitioner is granted bail on the following conditions:

(i) The petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned Principal District and Sessions Judge, Krishnagiri;

(ii)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

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(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.

04-11-2026

KAL

To
1.The Principal District and Sessions Judge,
Krishnagiri.

2. The Superintendent of Prisons,
Central Prison, Salem.

3. The Public Prosecutor,
High Court, Madras

4. The Inspector of Police
Vigilance and Anti Corruption
Krishnagiri.

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V.LAKSHMINARAYANAN, J.

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