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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2026

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THE HONOURABLE MRS JUSTICE N. MALA

CRL MP(MD) No. 155 of 2026

IN CRL A(MD) No. 13 of 2026

S.Vellaithurai

Appellant/Sole Accused

Vs

The State of Tamilnadu Rep By
The Inspector Of Police,
Vigilance and Anti-Corruption,
Tiruchirappalli
(In Crime No. 8 of 2014)

Respondent/Complainant

For Petitioner(s):

Mr.Sanjay Sundaram

For Respondent(s): Mr. B.Nambi Selvan

Additional Public Prosecutor (V & AC)

Prayer: This petition is filed under Section 430 of BNSS to Suspend the sentence imposed by the Special Court for the Exclusive Trial of Prevention of Corruption Act Cases, Tirunelveli, in Special Case No.6 of 2015 dated 19.12.2025 and enlarge him on bail in the event of arrest pending disposal of the main appeal.



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ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed by the learned Special Judge, Special Court for the Exclusive Trial of Prevention of Corruption Act Cases, Tirunelveli, in Special Case No.6 of 2015 dated 19.12.2025, and enlarge him on bail pending disposal of the appeal.

2. The case of the prosecution is that the defacto complainant went to the Kalakkadu Police Station, to lodge a complaint regarding the loss of his license on 25.07.2024. The defacto complainant alleged that the petitioner, who was serving as the Special Inspector of Police, demanded bribe for entertaining his complaint. On the basis of the complaint given by the defacto complainant, FIR in Crime No.8 of 2014 was registered against the petitioner for the offences under Sections 7, 13(2) r/w 13(1)(d) of Prevention of Corruption Act. A trap process was laid by P.W.8 and thereafter, the petitioner was arrested by the respondent police for having received the alleged tainted bribe money of Rs. 3,000/-. After completion of investigation, charge sheet was filed and the same was taken on file in Special Case No.6 of 2015.

3. Before the trial court, on the side of the prosecution, 10 witnesses were examined as P.W.1 to P.W.10 and 28 documents were marked as Ex.P.1 to Ex.P.2/7



28. Four material objects were marked as M.O.1 to M.O.4. On the side of the accused, one witness was examined as D.W.1 and five documents were marked as Ex.D.1 and Ex.D.5.

4. The Special Judge, Special Court for the Exclusive Trial of Prevention of Corruption Act Cases, Tirunelveli, upon considering the evidence both oral and documentary and on hearing the arguments on both sides, passed the impugned judgment dated 19.12.2025, convicting the petitioner and imposing sentence as follows:

S.No.	Offence	Sentence	Fine	In default sentence
1.	Section 7 of the Prevention of Corruption Act	3 years R.I	Rs.5,000/-	3 months simple imprisonment
2.	Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act	3 years imprisonment	Rs.5,000/-	3 months simple imprisonment

It was further ordered that the sentences of imprisonment would run concurrently.

5. Challenging the above said conviction and sentence, the appellant has preferred the present Criminal Appeal along with the above Miscellaneous Petition seeking suspension of sentence.



6. The learned counsel appearing for the petitioner would submit that there are several incongruities in the prosecution case and further there are contradictions in material particulars in the evidences of the prosecution witnesses. The learned counsel would further submit that the fine amount has already been paid and the trial court has suspended the sentence till 19.01.2026.

7. The learned Additional Public Prosecutor appearing for the State would submit that there are enough materials available on record against the petitioner and hence, he strongly opposed the grant of suspension of sentence.

8. This Court has carefully considered the rival contentions put forward by either side and also perused the materials available on record.

9. The learned counsel appearing for the petitioner pointed out the incongruities, inconsistencies and contradictions in material particulars in the prosecution's case, which establish that there are certain arguable points in the criminal appeal. Further the criminal appeal is not likely to be taken up for final hearing in the near future. Hence, this Court is of the considered view that the petitioner herein has made out a *pr ima facie* case for suspension of sentence.



10. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal with the following directions:

(1) The petitioner shall be enlarged on bail provided the petitioner pays the fine amount of Rs.11,000/-, within a period of two weeks from today.

(2) After the fine amount is received, the petitioner is directed to be enlarged on bail on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, within a period of 10 days from the date of receipt of a copy of this order, each for a like sum to the satisfaction of the Special Judge, Special Court for the Exclusive Trial of Prevention of Corruption Act Cases, Tirunelveli.

(3) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Trial Judge may obtain a copy of any valid identity proof to ensure their identity.

(4) The petitioner shall appear before the trial Court once in a month i.e., on the first working day of every English calendar month at 10.30 a.m., until further orders 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 of Cr.P.C (355 of BNSS) 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.

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To,
1.The Inspector Of Police,
Vigilance and Anti-Corruption,
Tiruchirappalli
(In Crime No. 8 of 2014)

2. The Special Court for the Exclusive Trial of Prevention of Corruption Act
Cases, Tirunelveli

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.MALA., J.

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