



CrIMP(MD)No.713 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**CrIMP(MD)No.713 of 2026
in
CrIA(MD)No.52 of 2026**

N.V.Selvadurai

...Petitioner

Vs

**State through the Inspector of Police,
SPE:CBI-ACB,
Chennai,
RC.MA.1 2010(A) 0008**

... Respondent

PRAYER: Petition filed under Section 430(2) of BNSS, to enlarge the petitioner on bail by suspending the sentence imposed upon the petitioner in CC.No.9 of 2012 on the file of the II Additional District Judge (CBI Cases), Madurai, Madurai District dated 24.12.2025 pending disposal of the main criminal appeal.

For Petitioner : Mr.R.Sivakumar

For Respondent : Mr.Muthu Saravanan,

Special Public Prosecutor for CBI



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ORDER

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The petitioner is accused No.8 in CC.No.9 of 2012 on the file of the II Additional District Court for CBI Cases, Madurai. The petitioner and other accused were tried and the petitioner has been found guilty and convicted as follows:

Sl.No	Section	Punishment	Fine (in Rs)	default class
1	120 B r/w 420 IPC	4 years rigorous imprisonment	10,000	6 months simple imprisonment
2	120 B r/w 468 IPC	4 years rigorous imprisonment	10,000	6 months simple imprisonment
3	120 B r/w 471 IPC	4 years rigorous imprisonment	10,000	6 months simple imprisonment
4	120-B r/w 13(2) r/w 13(1)(d) of Prevention of corruption Act, 1988	3 years rigorous imprisonment	10,000	6 months simple imprisonment
5	420 IPC	4 years rigorous imprisonment	10,000	6 months simple imprisonment
6	468 IPC	4 years rigorous imprisonment	10,000	6 months simple imprisonment
7	471 IPC	4 years rigorous imprisonment	10,000	6 months simple imprisonment
8	13(2) r/w 13(1)(d) of Prevention of corruption Act, 1988	3 years rigorous imprisonment	10,000	6 months simple imprisonment



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As against the conviction and sentence, the petitioner has filed an appeal in CrIa(MD)No.52 of 2026 and it has been admitted by this court. The petitioner has also moved this petition to suspend the sentence.

2.The learned counsel for the petitioner submits that the petitioner is only a post man. There is no documentary evidence to substantiate the case of the prosecution and they have failed to substantiate their case. Further, the provisions under Section 311 CrPC have been violated in this case. He further submits that the other accused including the main accused were released on bail by this court by suspending the sentence imposed on them while entertaining the criminal appeals filed by them. Therefore, he prays that the sentence be suspended pending this criminal appeal.

3.The learned Special Public Prosecutor appearing for the respondent submits that the petitioner has been found guilty for several offence and imposed with imprisonment as mentioned above and he is in jail.



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4.This court considered the rival submissions made and perused the material placed on record.

5.The petitioner has raised certain arguable points in this petition, which can be considered only during the final hearing of the appeal. However the appeal could not be taken up for final hearing for want of time. Considering the period of sentence imposed, co-accused have been enlarged on bail pending the appeals and for the reason that the appeal could not be taken up immediately, this Court is inclined to allow this petition.

6.Accordingly this petition is allowed and the substantive sentence of imprisonment imposed on the petitioner alone is suspended pending disposal of the criminal appeal on the following conditions:

(i) The petitioner is ordered to be enlarged on bail on executing a bond for Rs.50,000/- (Rupees Fifty Thousand) with two sureties each for a like sum, to the satisfaction of the II Additional District Judge for CBI Cases, Madurai.



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(ii) The petitioner shall file an affidavit before the respondent police that he will not misuse this liberty and will not indulge in any further offence.

(iii) The petitioner shall report before the trial court on the first working day of every month at 10.30 am.

(iv) If the petitioner violates any of the conditions, the respondent police shall move an application to cancel the order of suspension of sentence of imprisonment.

03.03.2026

Index : Yes / No
DSK

To

1.The Inspector of Police,
SPE:CBI-ACB, Chennai,

2.II Additional District Judge for CBI Cases,
Madurai.

3.The Superintendent,
Central Prison,
Madurai.

Copy to

The Special Public Prosecutor for CBI,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI.J.,

DSK

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