



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26-02-2026

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THE HONOURABLE MRS JUSTICE N. MALA

CRL MP(MD) NO. 3590 of 2026

in Crl.A(MD)No.239 of 2026

A.Samuel Gnanam

Petitioner/Appellant

Vs

The State of Tamil Nadu rep.by
The Inspector of Police,
Vigilance and Anti-Corruption Wing,
Tiruchirappalli
(Crime No.30 of 2011)

Respondent/Respondent

For Petitioner : Mr.N.Kumanan

For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

Prayer: This petition is filed under Section 430(1) BNSS to suspend the sentence imposed on the petitioner in Spl.C.C.No.19 of 2013 dated 28.01.2026 by the Special Court under Prevention of Corruption Act, Tiruchirappalli till the disposal of the appeal.

ORDER

This petition is filed to suspend the sentence imposed in Spl.C.C.No. 19 of 2013 by the Special Court under Prevention of Corruption Act dated 18.01.2026.



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2. The case of the prosecution in brief is that the petitioner, who is working as the Inspector of Police, Somarasanpatti Police Station during the period from 17.06.2011 to 25.06.2011 demanded illegal gratification of Rs.50,000/- from the defacto complainant, namely, Duraipandian for not foisting any case against him under the Goodas Act. The prosecution case is that in furtherance of the said demand, on 25.11.2011, the petitioner received illegal gratification of Rs.50,000/- in Police Station from the defacto complainant through the second accused and thereby committed the offence under Sections 7 and 13(2) r/w 13(i)(d) of Prevention of Corruption Act, 1988.

3. On conclusion of investigation, final report was filed before the the Special Court under Prevention of Corruption Act, Thiruchirappalli and the case was taken up on file as Spl.C.C.No.19 of 2013.

4. During trial, the prosecution examined 24 witnesses as P.W.1 to P.W.24 and marked 48 documents as Ex.P.1 to Ex.P.48 and five material objects were marked as M.O.1 to M.O.5. On the side of the accused, 4



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witnesses were examined as D.W.1 to D.W.4 and fourteen documents were marked as Ex.D.1 to Ex.D.14.

5. After a full-fledged trial, the trial court, in Spl.C.C.No.19 of 2013 by judgment dated 28.01.2026, convicted and sentenced the petitioner as follows:

Offence	Sentence
Section 7 of Prevention of Corruption Act	3 years imprisonment with a fine of Rs.10,000/- i/d 3 months R.I
Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act	3 years imprisonment with a fine of Rs.10,000/- i/d 3 months R.I

6. Aggrieved by the judgment of the trial court, the petitioner has filed the above appeal along with the petition for suspension of sentence.

7. The learned counsel for the petitioner submitted that the trial court had granted interim suspension of sentence on condition imposed therein on 28.01.2026 in CrI.M.P.No.40 of 2026. The learned counsel for the petitioner submitted that the time granted by the trial court expires on 27.02.2026. The learned counsel submitted that the trial court failed to consider the contention raised by the petitioner that the provision stipulated



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under Section 53 of Vigilance Manual has been violated by the respondent in that, the Officer, who conducted the investigation and examined as P.W.24 also participated in the trap proceedings and filed a final report. The learned counsel submitted that the trial court's judgment is therefore vitiated for non-appreciation of violation of Section 53 of Vigilance Manual.

8. The learned Additional Public Prosecutor filed a counter affidavit and submitted that Section 53 of Vigilance Manual is complied with by the respondent and when no specific enmity or animosity is attributed against the investigation officer, who conducted investigation and filed final report, he/she can participate in the trap proceedings and it will not affect the case of the prosecution.

9. Heard both sides and perused the materials available on record.

10. I find arguable point has been made out in the appeal, which may result in favour of the petitioner further the appeal is not likely to be heard in the proximate future. This Court is therefore inclined to grant suspension of sentence imposed on the petitioner in Spl.C.C.No.19 of 2013



dated 28.01.2026 by the Special Court under Prevention of Corruption Act, Thiruchirappalli.

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

(i) the petitioner is directed to be enlarged on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the Special Court under Prevention of Corruption Act, Thiruchirappalli;

(ii) 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 ;

(iii) The petitioner shall appear before the trial Court daily 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.

26-02-2026

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To,

1.The Inspector of Police,
Vigilance and Anti-Corruption Wing,
Tiruchirappalli

2. The Special Court under Prevention of Corruption Act,
Thiruchirappalli

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



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N.MALA., J.

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