

SUPREME COURT OF INDIA

P. Subramanian

Vs.

State of Tamil Nadu

CrI.A.No.1325 of 2002

(B.N. Agrawal and G.S. Singhvi JJ.)

19.03.2009

ORDER

1. The appellant, along with accused K.A. Dhandayuthapani, was convicted by the Trial Court under Section 7 of the *Prevention of Corruption Act, 1988 [hereinafter referred to as "the Act"]* and each one of them was sentenced to undergo rigorous imprisonment for a period of six months and to pay fine of Rs.500/- each; in default, to undergo further imprisonment for a period of one month. They were further convicted under Section 13(1)(d) read with Section 13(2) of the Act and sentenced to undergo rigorous imprisonment for a period of one year and to pay fine of Rs.500/- each; in default, to undergo further imprisonment for a period of two months. Both the sentences were, however, ordered to run concurrently. On appeal being preferred, the High Court acquitted accused K.A. Dhandayuthapani of both the charges. So far as the appellant is concerned, he was acquitted of the charge under Section 13(1)(d) read with Section 13(2) of the Act but his conviction under Section 7 of the Act has been upheld. Hence, this appeal by special leaves.

3. Having heard learned counsel appearing on behalf of the parties and perused the records, we are of the view that the Trial Court and the High Court have convicted the appellant under Section 7 of the Act upon threadbare discussion of evidence and no interference by this Court is called for.

4. The criminal appeal, accordingly, fails and the same is dismissed.

5. Bail bonds of the appellant, who is on bail, are cancelled and he is directed to be taken into custody forthwith to serve out the remaining period of sentence.