



2026 INSC 751

Non-Reportable

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**Criminal Appeal No. 3427 of 2026
[@ Special Leave Petition (Crl.) No.11930 of 2024]**

N. Damodaran

....Appellant

Versus

State Rep. by the Inspector of Police

....Respondent

ORDER

Leave granted.

2. The appellant herein was convicted under Section 7 and Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988¹ and sentenced to undergo rigorous imprisonment for two years and a fine of Rs.5,000/- with default sentence of four months simple imprisonment on both counts. The appeal also stood rejected by the High Court against which the appellant is before us.

3. When the above matter came up for consideration on 17.03.2025, notice was issued limited to the quantum of punishment. Today, we have heard the matter and also looked at the records.

¹ For brevity, "the PC Act"

4. Despite the limited notice issued, we looked at the facts of the case. PW2 was a contractor who had applied for a service connection on behalf of his wife. The appellant who was a Junior Engineer Level-1 in the Tamil Nadu Electricity Board at Coimbatore demanded a sum of Rs.10,000/- in addition to the deposit required of Rs.1,600/-. The complainant, PW2 hence approached the Vigilance and Anti-Corruption Wing, Coimbatore, who laid the trap in which the appellant was caught red handed.

5. PW2 spoke of the demand made and also spoke of the complaint laid before the Vigilance and Anti-Corruption Wing and categorically stated about the manner in which the trap was set up and implemented. In addition to PW2, PW3 a friend also spoke of the demand made by the appellant, when he had accompanied PW2 to the electricity office. PW4 was one of the independent witnesses summoned, who corroborated PW2 in every aspect of the trap laid. He accompanied PW2 to the office of the appellant where the appellant was heard enquiring as to the money he demanded. PW2 handed over the money, which was counted by the appellant and put in the left pocket of his trousers. Immediately after PW2 and PW4 left the office of the appellant, on a signal being given, the trap officer, being PW10

along with his team approached them. PW4 narrated to them as to what occurred inside the office. PW10 then entered the office of the appellant, informed him of the trap laid, immersed his hands in the test solution and put the test solution on the left pocket of the accused from which was recovered the numbered notes. The test on the hands and the pocket of the trousers turned positive.

6. The Trial Court had in seriatim noticed the contentions raised on defense which were elaborately considered and rejected. The defense set up of a grudge, PW2, harbored against the appellant was also attempted to be proved through a witness examined as DW1, a colleague of the appellant. The specific case was that pursuant to another application given by PW2's wife for an electricity connection, the appellant had inspected the premises when there occurred an altercation between the appellant and PW2. DW1, though spoke of the inspection in which he accompanied the appellant did not speak of any altercation having occurred. The defense of prior enmity hence stood disproved. We find absolutely no reason to interfere with the conviction.

7. However, we notice that at the time when the offence was committed, the punishment for the offence under Sections 7 and

13(1)(d) read with Section 13(2) of the P.C Act were respectively six months and one year. We are of the opinion that the instant case requires only imposition of the statutory minimum imprisonment. The substantive sentence hence stands modified as six months rigorous imprisonment under Section 7 and one-year rigorous imprisonment under Section 13(1)(d) r/w Section 13(2). The fine as imposed by the Trial Court and affirmed by the High Court as also the default sentence shall stand as it is.

8. The appeal stands partly allowed.

9. Pending applications, if any, shall stand disposed of.

..... J.
(J. B. PARDIWALA)

..... J.
(K. VINOD CHANDRAN)

**NEW DELHI;
JULY 24, 2026.**