

**IN THE MATTER OF PROCEEDINGS BROUGHT UNDER THE INTERNATIONAL CRICKET COUNCIL'S
("ICC") ANTI-CORRUPTION CODE FOR PARTICIPANTS**

BETWEEN:

**INTERNATIONAL CRICKET COUNCIL ("ICC")
(ACTING AS THE PROSECUTING AUTHORITY)**

-and-

MR AKHILESH BODUGUM

SANCTIONS AWARD

A. Introduction

1. The Award of the Anti-Corruption Tribunal dated 19 June 2026 (the **Liability Award**)¹ records that the Anti-Corruption Tribunal concluded Mr Bodugum was guilty of the following three offences under the ICC Anti-Corruption (**Code**):²

- 1.1 Code Article 2.1.1: "Fixing or contriving in any way or otherwise influencing improperly or being a party to any agreement or effort to fix or contrive in any way or otherwise influence improperly, the result, progress, conduct or any other aspect of any Match, including (without limitation) by deliberately underperforming therein".
- 1.2 Code Article 2.1.4: "directly or indirectly soliciting, inducing, enticing, instructing, persuading, encouraging or intentionally facilitating any Participant to breach any of the foregoing provisions of this Article 2.1".
- 1.3 Code Article 2.4.7: "Obstructing or delaying any investigation that may be carried out by the relevant Designated Anti-Corruption Official in relation to possible Corrupt Conduct under the Anti-Corruption Code (by any Participant), including (without limitation) concealing, tampering with or destroying any documentation or other

² Liability Award, paragraph 12.

information that may be relevant to that investigation and/or that may be evidence of or may lead to the discovery of evidence of Corrupt Conduct under the Anti-Corruption Code.”¹

2. The range of Ineligibility for the above offences set out in para 1 is prescribed by Code Article 6.2. For offences under Code Article 2.1.1 the minimum period of Ineligibility is five (5) years and a maximum of a lifetime, and for offences under Code Articles 2.4.7. the minimum period of Ineligibility is zero and a maximum of five (5) years. Additionally, for each offence, the Anti-Corruption Tribunal has the discretion to impose a fine of such amount as it deems appropriate.

B. Factors Relevant to The Tribunal's Determination of Sanction

3. Code Article 6.1 provides that where a breach of the Code is upheld by an Anti-Corruption Tribunal, it is necessary for the Anti-Corruption Tribunal to impose an appropriate sanction upon the Participant from the range of permissible sanctions set out in Code Article 6.2. It goes without saying -though both parties have nonetheless courteously said it-, that it is for the Tribunal alone to determine the appropriate sanction.

4. In ICC v Zoysa³ and ICC v Lokuhettige⁴ it was concluded that in determining the appropriate sanction in an anti-corruption case, an Anti-Corruption Tribunal must undertake a qualitative assessment of the weight to give to each element prescribed by the Code (i.e. Code Articles 6.1 and 6.2), while bearing in mind that the purpose of any sanction is to deter and to maintain public confidence in the sport. The Tribunal approves of and will adopt that approach.

5. The Tribunal also accepts the ICC submission submit that any sanction must be reasonable and proportionate in all the circumstances.

6. The Tribunal accepts too that it is axiomatic that no one case is precisely identical to another and can adopt Mr Bodugum’s statement that the existence of the Tribunal's discretion under Article 6 of the ICC Anti-Corruption Code does not relieve the ICC of demonstrating, **by reference to the circumstances of the present case**, why the sanction sought by the ICC is justified.”(Tribunal’s emphasis)’

7. The ICC has provided the Tribunal with comprehensive information as to the sanctions previously issued in cases under the ICC Code whether by settlement or by adjudication.

¹References to Mr Bodugum in this award are deemed, unless the context otherwise requires, to be references to his counsel Mr Eslam.

Mr Bodugum maintains, without qualification, the submissions advanced in his Opening Submission and Rejoinder, all of which continue to be relied upon in their entirety and are expressly preserved for all further proceedings including any appeal. He avers that nothing contained in these submissions on sanction shall be construed as accepting or affirming the findings contained in the Liability Award. The Tribunal takes due note of Mr Bodugum’s position.

8. The Tribunal is reluctant to find that cases in which a person charged had accepted a period of ineligibility provide any really useful guidance given both the absence of reasoning and the fact that other factors, such as the need to save time and cost may explain the decision.

9. The cases in which the sanction was the product of a reasoned decision are set out in an Annex to this award.

10. As to these the Tribunal notes that while “the Code is governed by and, shall be construed in accordance with English law”² there is no incorporation of, or provision for, a doctrine of precedent. However, it accepts that consistency of approach in the matter of sanctions is generally desirable as an aspect of fairness and good administration.³

11. Mr Bodugum submits that all the cases relied upon by the ICC involve materially different factual circumstances, including repeated corrupt approaches, multiple participants, financial inducements, admissions of misconduct, failures to cooperate, or broader patterns of corrupt conduct. They therefore illustrate the range of sanctions available under the Code rather than establishing an appropriate benchmark for the present case.

12. While in no way resiling from the need to make an individualized assessment of Mr Bodugum’s case, the Tribunal repeats its conclusion in para 10 above.

13. At every relevant juncture in the overall category of issues which both parties identify, Mr Bodugum submits that such individualised assessment is lacking in the ICC’s submission which relies on general propositions only.

14. The Tribunal is not persuaded on a fair reading of the ICC’s submissions that it has at any juncture failed to conduct such assessment. The ICC’s submissions are not free standing but throughout are expressly linked to Mr Bodugum’s case and to what he did or did not do.

² Article 11.5

³ Wade and Forsyth Administrative Law 12th ed pp328-329 and cases there cited.

B1. Seriousness of the offending

15. Mr Bodugum has been found by the Tribunal to have committed two offences under Code Article 2.1.

16. The ICC submits that Article 2.1 offences are the most serious contemplated by the Code, going to the very core of the fundamental sporting imperatives that underpin it.⁶ The commission of such offences by a Participant must attract a period of ineligibility of at least five years and can, in appropriate circumstances, result in a ban up to and including a lifetime ban from the sport - such cases can include those where (as here) a Respondent has sought to corrupt others.⁸

17. In light of the inherent seriousness of Mr Bodugum's offending, the ICC submits that in determining the appropriate sanction the Tribunal should weigh very heavily the fundamental sporting imperatives that underpin the Code – including in particular (1) deterring others from similar wrongdoing (i.e., preventing corrupt practices from undermining the sport),⁹ (2) maintaining public confidence in the sport,¹⁰ and (3) preserving public confidence in the readiness, willingness and ability of the ICC and its National Federations to protect the sport from such corrupt practices.⁴

18. The Tribunal accepts as a starting point that Mr Bodugum's offences were inherently serious

³ Decision of the Anti-Corruption Tribunal dated 7 April 2021 (para 33

⁴ Decision of the Anti-Corruption Tribunal dated 7 April 2021 para 21).

⁶ See Code Articles 1.1.1 to 1.1.5: ('The ICC and its National Cricket Federations have adopted this Anti-Corruption Code in recognition of the following fundamental sporting imperatives: 1.1.1 All cricket matches are to be contested on a level playing field, with the outcome to be determined solely by the respective merits of the competing teams and to remain uncertain until the cricket match is completed. This is the essential characteristic that gives sport its unique appeal. 1.1.2 Public confidence in the authenticity and integrity of the sporting contest is therefore vital. If that confidence is undermined, then the very essence of cricket will be shaken to the core. 1.1.3 Advancing technology and increasing popularity have led to a substantial increase in the amount, and the sophistication, of betting on cricket matches. The development of new betting products, including spread-betting and betting exchanges, as well as internet and phone accounts that allow people to place a bet at any time and from any place, even after a cricket match has started, have all increased the potential for the development of corrupt betting practices. That, in turn, increases the risk that attempts will be made to involve participants in such practices. This can create a perception that the integrity of the sport is under threat. 1.1.4 Furthermore, it is of the nature of this type of misconduct is such that it is carried out under cover and in secret, thereby creating significant challenges for the ICC and its National Cricket Federations in the enforcement of rules of conduct. As a consequence, the ICC and its National Cricket Federations need to be empowered to seek information from and share information with competent authorities and other relevant third parties, and to require Participants to cooperate fully with all investigations and requests for information. 1.1.5 The ICC and its National Cricket Federations are committed to taking every step in their power (a) to prevent corrupt practices undermining the integrity of the sport of cricket, including any efforts to influence improperly the outcome or any other aspect of any Match; and (b) to preserve public confidence in the readiness, willingness and ability of the ICC and its National Cricket Federations to protect the sport from such corrupt practices').

⁴ Article 1.1.5

⁸See, e.g. ICC v Ahmed, Ahmed and Amjad, Award dated 26 August 2019), para 19. In Ahmed, Ahmed and Amjad, the Ahmed brothers both received lifetime bans (the only such bans imposed to date under the Code), as specifically sought by the ICC in that case, having engaged in a prolonged and sophisticated campaign of corrupt conduct.

⁹See, e.g., ICC v Butt, Asif and Amir, Anti-Corruption Tribunal decision dated 5 February 2011 para 217, ('We must take account of the greater interests of cricket which the Code itself is designed to preserve and protect. There must, we consider, be a deterrent aspect to our sanction'); ICC v Ahmed, Ahmed and Amjad, Award dated 26 August 2019 para 7 ('the Tribunal accepts that in determining the appropriate sanction against each of the Respondents it should weigh very heavily these fundamental sporting imperatives, including, in particular, the need (i) to deter others from similar wrongdoing (i.e. preventing corrupt practices from undermining the sport),³ and (ii) to maintain public confidence in the sport'); ICC v Ikoje, Award dated 5 March 2019, at para 8.20 ('[I]n light of the inherent seriousness of the offences, the ICC submits that the Tribunal should weigh heavily the fundamental sporting imperatives undermining (sic) the Code (Code Article 1.1) in determining the appropriate sanction – including in particular (i) deterring others from similar wrongdoing (i.e., preventing corrupt practices from undermining the sport, and (ii) maintaining public confidence in the sport. The Tribunal would accept that submission too').

¹⁰In the specific sporting context, Bradley v Jockey Club [2005] EWCA Civ 1056, at para 24, ('Where an individual takes up a profession or occupation that depends critically upon the observance of certain rules, and then deliberately breaks those rules, he cannot be heard to contend that he has a vested right to continue to earn his living in his chosen profession or occupation. But a penalty which deprives him of that right may well be the only appropriate response to his offending'). See also ICC v Ahmed, Ahmed and Amjad, Award dated 26 August 2019, para 7 and ICC v Ikoje, Award dated 5 March 2019, at para 8.20

¹¹See Code Article 1.1.5.

B2. Aggravating and mitigating factors

19. Code Articles 6.1.1 and 6.1.2 set out lists of factors that may, respectively, aggravate or mitigate offending under the Code.

B.2.1 Aggravating factors

20. The ICC identifies the following aggravating factors, which it submits are relevant to the Anti-Corruption Tribunal's determination of the appropriate sanction in this case:

20.1 Code Article 6.1.1.4 (potential to damage substantially the commercial value and/or public interest in the relevant Matches).

The ICC submit that: while Mr Bodugum did not succeed in encouraging [Player A] to agree to be involved in Corrupt Conduct, had that not been the case and he had agreed to go ahead with the fix, that had the potential to substantially damage the commercial value and the public interest in the relevant Matches, i.e. matches in the Abu Dhabi T10 League. The ICC further submit that damage to the commercial value and/or public interest does not arise only where a fix takes place but also occurs where individuals attempt to fix matches.

20.2 Code Article 6.1.1.5 (potential to affect the result of the Match):

The ICC submit that while the details of the specific fix were not disclosed, it is likely that any such fix would have had the potential to affect the result of the relevant Matches, even if it was a spot fix. The relevant Matches in question were T10 matches meaning that, being a short-form format of the game, the likelihood of a spot fix having an impact on the overall result is higher than in longer formats of the game, given a T10 involves a low number of

overs and balls bowled.

20.3 Code Article 6.1.1.6 (where the welfare of a Participant or any other person has been endangered as a result of the offence):

The ICC submit that through his approach to [Player A], another Participant, Mr Bodugum clearly sought to corrupt others. This undoubtedly put the welfare of that other Participant at risk. The harm to [Player A] is clear from the fact that he felt he had to leave the tournament, which meant he also lost out on fees he would have received.

(“the three aggravating factors”)

21. Mr Bodugum submits that while the aggravating factors in Article 6.1.1 of the Code are properly identified, he does not appear to accept that they are present in the case, and he asserts that the ICC does not demonstrate why they justify the sanction sought in the particular circumstances of the present case or why they warrant placing this case higher within the statutory range prescribed by Article 6.2.

22. In so far as Mr Bodugum appears to assert that there are no aggravating factors shown to be present in the case, the Tribunal is of the view that the ICC is correct to rely on the three aggravating factors. If Mr Bodugum’s corrupt approach to [Player A] had succeeded (and subsequently became public knowledge), it would have had the potential to undermine the commercial value of the matches and public interest in them, as well as potentially have affected the outcome of the match. Finally, it is clear that the approach to [Player A] did put him in a most uncomfortable and difficult situation and so did endanger his wellbeing.

B.2.2 Mitigating factors

Article 6.1.2 of the Code (The Participant’s good previous disciplinary record).

23. The ICC identifies and notes that, during the course of his career prior to his offending, to the best of its knowledge Mr Bodugum has not had any relevant previously disciplinary record and submits that this should be given such weight as the Tribunal considers appropriate.

24. Further, the ICC concedes that it has not identified any financial benefit obtained by Mr Bodugum as a consequence of the conduct found in the Award, or the present case involves any previous disciplinary breaches or repeated offending by the Respondent.

25. The ICC submits that those are all circumstances the Tribunal may properly take into account in mitigation of sanction (although this may count for little when weighed against the seriousness of Mr Bodugum’s offending).

26. While the Tribunal accepts that the list of mitigating factors is not closed⁵ it would distinguish between an absence of aggravating factors which are referred to in para 24 above⁶ and the presence of mitigating factors

27. Mr Bodugum relies not only on the absence of any previous poor disciplinary record, whose relevance, if not whose weight, is correctly common ground, but also upon the mitigating considerations recognised by Articles 6.1.2.6 and 6.1.2.7 of the Code i.e., circumstances in which the offence did not substantially damage, or have the potential substantially to damage, the commercial value or public interest in the relevant Match(es)⁷, 6.1.2.6 or affect, or have the potential to affect, the result of the relevant Matches(es) 6.1.2.7.

28. The Tribunal rejects this ancillary submission which does not recognize that potential, as well as actual effect, is engaged by these Articles and repeats what it has said at para.20 above.

29. Accordingly, the Tribunal will give some, but not great weight, to the absence of previous disciplinary record only.

APPLICATION OF CODE ARTICLE 6.3.2

30. Mr Bodugum has been found by the Tribunal to have committed three separate offences under the Code. In such circumstances, Code Article 6.3.2 which provides that ‘where a Participant is found guilty of committing two offences under the Code in relation to the same incident or set of facts, then (save where ordered otherwise by the Anti-Corruption Tribunal for good cause shown) any multiple periods of Ineligibility imposed should run concurrently (and not cumulatively)’ is engaged.

31. Previous Anti-Corruption Tribunals have noted that (1) Code Article 6.3.2 does not define the degree of proximity for the requisite relationship to subsist between the offence and the relevant incident or set of facts, (2) under English law, which is the governing law of the ICC Anti-Corruption Code,¹³ proximity is dictated by context,¹⁴ and the relevant context here is of the exception to the general rule that would allow the Anti-Corruption Tribunal freedom to determine whether periods of Ineligibility should run cumulatively or concurrently, and (3) in principle therefore the phrase ‘in relation to’ should be construed narrowly rather than broadly in the context of Code Article 6.3.2.¹⁵ The Anti-Corruption Tribunal in ICC v Ansari took into account at para 7.1.1 whether offences were ‘intrinsically distinct’⁸.

32. In Mr Bodugum’s case, the ICC submits that the Article 2.1.1 and 2.1.4 offences effectively arise out of the same incident or set of facts (i.e. they relate to Mr Bodugum’s attempted approach to [Player A]). The ICC therefore proposes that any periods of Ineligibility to be imposed on Mr Bodugum in respect of the Articles 2.1.1 and 2.1.4 offences should run concurrently.

⁵ Article 6.1.2.10 ‘any other factors that the Adjudicatory body considers relevant and appropriate’

⁶ Cf Article 6.1.1.2 and Article 6.1.1.3

⁷ I.e. the Abu Dhabi T10

33. The ICC submits by contrast that the Article 2.4.7 offence arises out of a separate incident or set of facts, namely Mr Bodugum's obstruction of the ICC's investigation through his deletion of information that may have been relevant to a breach of the Code. The ICC refers to the decision in ICC v Chhayakar¹⁶ in which the Anti-Corruption Tribunal held that the sanction imposed on Mr Chhayakar in respect of his Article 2.1 offences should run cumulatively with the sanction imposed in respect of his Article 2.4 offences in order to highlight their independent significance.

The ICC therefore seeks cumulative periods of Ineligibility in respect of the Article 2.4.7 charge.

34 Mr Bodugum submits that the ICC has not demonstrated why the circumstances of the present case justify such an approach or why the Tribunal should exercise its discretion on the facts of the present case to impose cumulative periods of Ineligibility. He further submits that the reliance placed upon ICC v Chhayakar does not, without more, establish that cumulative periods of Ineligibility are warranted in the present case.

35. The Tribunal accepts the ICC's approach as set out in paras 30 and 31 above as consistent both with principle and previous case law and finds particularly useful the guidance in the *Chhayaker* case.

36. The Tribunal therefore concludes that the periods of ineligibility to be imposed for the offences, also to be set out below under Code articles 2.1.1 and 2.1.4 - should run concurrently. Given that the facts giving rise to the finding of a breach of Code article 2.4.7 relate to the deletion of call records and messages by Mr Bodugum from his mobile phone following his approach to [Player A], the Tribunal is of the view that the finding of a breach of Code article 2.4.7 does not arise from the same incident or set of facts as the article 2.1 offences, and accordingly, concludes that the period of ineligibility to be imposed for the breach of Code article 2.4.7 also to be set out below, should not run concurrently with the sanctions imposed for the breaches of Code articles 2.1.1 and 2.1.4, but should be cumulative to those sanctions.

¹² See ICC v Ansari, at paragraph 8.3 (*"The Tribunal appreciated that this is the maximum sanction in terms of ineligibility vouched for by the Code but the seriousness of the offences enhanced by substantial aggravating factors against which there is but a single and minor mitigating factor to be set off, justify the conclusion that it is appropriate. The fact that it is possible to envisage offences against each Article of even greater gravity than Mr Ansari's does not of itself compel a reduction below the maximum in his case. Cricket would, in the Tribunal's view, be better off without Mr Ansari's participation for the period it has determined"*).

¹³ Article 11.5 of the ICC Anti-Corruption Code.

¹⁴ See, for example, Svenska Petroleum Exploration AB v Lithuania [2006] EWCA Civ 1529 (at para 137).

¹⁵ See ICC v Ansari, Award dated 19 February 2019, at paragraph 7.6 *et seq.*; ICC v Ahmed, Ahmed and Amjad, Award dated 26 August 2019, para 16.

¹⁶ See ICC v Chhayakar Award dated 5 October 2022 at paragraph 31.

CONCLUSION

37. This Tribunal has in its earlier decisions (see, for example, ICC v Zoysa and ICC v Lokuhettige) made clear that in determining an appropriate sanction the Tribunal needs to evaluate the seriousness of the offending conduct, and in doing so, take into account any relevant aggravating and mitigating factors.

38. The Tribunal has noted that the offences under Code article 2.1 (which include two of the three offences of which Mr Bodugum has been found guilty) are the most serious offences in the Code, which, go to the very core of the fundamental sporting imperatives that underpin the Code.

39. The Tribunal notes that in several previous decisions which have involved a single corrupt approach to a team member or other participant, sanctions of between 5 and 8 years have been imposed. In reaching its decision on sanction, the Tribunal notes that this is a first offence, but that it is a very serious offence, with several aggravating factors, and only one mitigating factor. In the circumstances, the Tribunal concludes that the appropriate sanction for the offences under Code articles 2.1.1 and 2.1.4 should in each case be a period of ineligibility of seven years.

40. The Tribunal is of the view that obstructing the investigation of offences under the Code is a serious offence, though not as serious as the offences under Code article 2.1. Furthermore, while in this case the deletion of the records, did not in fact result in an insuperable obstruction of the investigation, it could have done so. The voluntary surrender of his phone to the investigators counts for little, given that the Tribunal has found that Mr Bodugum believed he had purged it of incriminating materials. In the circumstances, the Tribunal is of the view that an appropriate sanction is a further one year period of ineligibility to run cumulatively to the sanctions imposed in relation to the breaches of Code articles 2.1.1 and 2.1.4.

ORDER

41. The Tribunal accordingly orders

1. For breach of Article 2.1.1 a period of ineligibility of 7 years;
2. For breach of Article 2.2.1 a period of ineligibility of 7 years to run concurrently with the above period of ineligibility;
3. For breach of Article 2.4.7 a period of ineligibility of 1 year to run cumulatively to the above. In accordance with Code Article 6.4 Mr Bodugum's provisional suspension which commenced on 21 November 21 2025 is to be credited against the total period of ineligibility i.e. 8 years above.

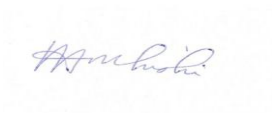
42. There will be no order as to costs, each party accordingly bearing their own.



Michael J Beloff KC Chair

A handwritten signature in black ink, appearing to read 'Catherine O'Regan'.

Justice Catherine O'Regan

A handwritten signature in purple ink, appearing to read 'Lloyd Mhishi'.

Lloyd Mhishi

29 July 2026

ANNEX

Mehar Chhayakar – Mr Chhayakar was sanctioned with a 14-year period of ineligibility for two separate corrupt approaches to other Participants (Art 2.1.1), two associated breaches of enticing another Participant to breach the Code (Art 2.1.4), one breach of failing to cooperate with an investigation (Art 2.4.6) and one breach of obstructing / delaying an investigation (Art 2.4.7).

Rizwan Javed – Mr Javed was sanctioned with a 17 ½ year period of ineligibility for (i) 3 separate counts of attempting to fix through approaches to players (Art 2.1.1), (ii) offering a reward to a participant in exchange for agreeing to fix (Art 2.1.3), (iii) 3 separate counts of attempting to persuade a player to engage in corrupt conduct (Art 2.1.4), (iv) failing to disclose corrupt approaches he received (Art 2.4.4), and (v) failing to cooperate with an investigation (Art 2.4.6).

Devon Thomas – Mr Thomas accepted a 5-year period of ineligibility (of which the last 18 months were suspended) after he admitted a contriving to fix (Art 2.1.1), failing to disclose corrupt approaches (Art 2.4.4), failing to disclose receiving a potentially corrupt payment (Art 2.4.2), failing to cooperate with an investigation by virtue of failing to surrender his mobile phone (Art 2.4.6), and obstructing an investigation (Art 2.4.7).

Sunny Dhillon – Mr Dhillon was sanctioned with a 6-year period of ineligibility for (i) attempting to fix through approaching a coach (6 years for this offence), (ii) failing to disclose corrupt approaches (3 years for this offence), and (iii) failing to cooperate with the DACO's investigation (4 years for this offence).

Saliya Saman – Mr Saman was sanctioned with a 5 year period of ineligibility after being found guilty of (i) making a corrupt approach to another player (Art 2.1.1), (ii) offering a reward to a participant in exchange for agreeing to fix (Art 2.1.3) and (iii) soliciting or encouraging a player to engage in Corrupt Conduct (Art 2.1.4).