

ORDER ON I.A.NO.1

Learned counsel for the appellant has filed this I.A. U/S.5 of Limitation Act seeking to condone the delay of 73 days in filing this appeal.

Along with this application the appellant has filed his affidavit by stating that, he is doing petty business and moving from one place to another place and due to his financial problem he could not contact his advocate. Hence there is delay in filing the appeal. He has got good grounds to get success in the appeal. Hence prayed to condone the delay of 73 days.

Heard arguments and perused the records.

Filing of appeal is the statutory right given to the accused. Under such circumstances for the reason stated in the affidavit it is just and proper to condone the delay of 73 days. Hence proceed to pass the following:

ORDER

I.A. No.1 filed by the appellant U/S.5 of Limitation Act is hereby allowed as prayed.

C/c I ADDL.DISTRICT &
SESSIONS JUDGE,
DAVANAGERE.

ORDER ON I.A.NO.2

Learned counsel for the appellant has filed this I.A.No.2 U/S.430 of BNSS seeking to suspend the sentence passed by the trial court in C.C.1595/2023 dated 14/12/2025 till disposal of this appeal.

In the application it is stated that, the trial court has not appreciated the materials available on record in proper perspective. Appellant has taken several grounds of appeal. If the judgment is executed appellant will be put to hardship. Hence prayed to allow the application.

Heard arguments and perused the records.

Filing of appeal is the statutory right given to the accused. Under such circumstances if the judgment of trial court is not suspend purpose of this appeal will be defeated. Reasonable conditions will meet the situation. Hence proceed to pass the following:

ORDER

I.A. No.2 filed by the appellant U/S.430 of BNSS is hereby allowed on following conditions.

- 1) Appellant shall deposit 20% of the total fine amount within 60 days from the date of this order.
- 2) He shall execute personal bond in a sum of Rs.1,00,000/- with one

surety for like sum to the satisfaction of the trial court.

3) He shall appear before this court or the trial court as and when directed to do so.

Issue intimation to the trial court accordingly.

Issue notice to the respondent returnable by.

C/c I ADDL.DISTRICT &
SESSIONS JUDGE,
DAVANAGERE.