

Appeal is filed questioning the validity of impugned judgment passed in CC.No.1555 of 2023 on the file of Additional Civil Judge & JMFC, Udupi, wherein the accused/appellant herein was convicted and sentenced to pay a fine of ₹4,00,500 for the offence punishable under Section 138 of NI Act; in default to under go SI for Six months.

Memorandum of appeal is appended with an application seeking to suspend the order of conviction and sentence by asserting that; after pronouncement

of judgment; he is ready to abide by any terms and conditions that may be imposed by this Court. It is submitted that the accused is not in a position to deposit any amount to be ordered while granting stay and also submitted that accused is having very good case to urge before this Court on merits and prays to exempt from depositing any amount. Submission is taken on record. In the light of facts and circumstances of the case coupled with the grounds urged in the appeal; proceeds to pass the following;

ORDER

Operation and execution of judgment in question passed in CC.No.1555 of 2023 dated 08.12.2025 on the file of Additional Civil Judge & JMFC, Udupi is suspended till further orders subject to condition that the appellant has to submit arguments on merits within a month from the date of appearance of respondent, if he failed to submit arguments the stay

order shall stand vacated automatically without any further order.

Call for TCR and issue notice to respondent r/by

06.02.2026

***II Addl. District & Sessions Judge,
Udupi***