

IN THE COURT OF SESSIONS, ERNAKULAM DIVISION

Present:-

Sri. K.K.Balakrishnan, Sessions Judge

Tuesday, 16th day of June, 2026/26th Jyaishta, 1948

Crl.MP No.01/2026 in Crl.Appeal No.310/2026

(Against the Judgment dated 29.04.2026 in C C No 751/2017 on the file of the Judicial First Class Magistrate Court-I, Ernakulam)

Appellant:

Deepak Sathyapalan, aged 41, S/o. Dr P A Sathyapalan, C C 67/2047, Polakulath House, Market Road, Ernakulam (Managing Director, Beaumont The Fern, Near South Railway Station, Ernakulam)

By Adv. Basil Mathew.

Respondent:

Kerala State represented by Public Prosecutor, Sessions Court, Ernakulam.

By Public Prosecutor Sri. Manoj G Krishnan

This petition filed under section 430 of Bharatiya Nagarik Suraksha Sanhita for suspending of the sentence.

This petition coming on for hearing on 12.06.2026 and the Court on 16.06.2026 passed the following:

ORDER

This petition is filed under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioner/appellant to suspend the execution of the sentence passed by the Court of Judicial Magistrate of First Class-I, Ernakulam in C.C.No.751/2017 dated 29.04.2026.

2. Short facts necessary for the disposal of the petition are as follows:- The petitioner herein is the accused in the above case. He was convicted and sentenced to undergo simple imprisonment for two years for the offence under Section 406 IPC and to pay compensation of Rs.15,67,902/- and in default to undergo simple imprisonment for six months by order dated 29.04.2026. Against the above order, he filed the above appeal. It is submitted that the order of conviction and sentence passed against him is illegal and unsustainable and the order is in disregard of the numerous unexplained lacunae in the prosecution case and without taking into consideration the evidence adduced on behalf of the petitioner. He has very serious contentions. There is every chance to allow the appeal in his favour. Unless the execution of sentence passed by the trial court is suspended till the disposal of the appeal, the petitioner would be put to untold hardships and irreparable loss. Hence, pleaded to suspend the execution of the sentence passed by the trial court till the disposal of the appeal.

3. Heard the petitioner.

4. Considering the facts and circumstance of the case, the petition is allowed. Stay granted for the execution of the sentence until further order and

bail is granted to the petitioner on executing bond for ₹50,000/- (Rupees Fifty Thousand only) with two solvent sureties each for the like sum to the satisfaction of the jurisdictional Court.

(Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open court on this the 16th day of June, 2026).

Sd/-

K K Balakrishnan
Sessions Judge

Typed by: sm
Comp.by:

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Order dated: 16.06.2026