

IN THE COURT OF THE SESSIONS JUDGE THODUPUZHA

Present:

Sri. SASI KUMAR.P.S., SESSIONS JUDGE

Monday the 18th day of August, 2025/27th day of Sravana, 1947.

CRIMINAL M.P. No. 4132/2025 in CRIMINAL APPEAL No.115/2025
(C.C.No.109/2020 of the Judicial First Class Magistrate Court -I, Kattappana)

Petitioner/Appellant:

Aneesh s/o. Peethambaran, aged 35 years,
Vilayanickal House, Kochuthovala Kara,
Kattappana Village, Idukki District.

By Adv. Sri.T.J.Augustine.

Respondents:

1. Sukumaran P.V. s/o. Vijayan, aged 58 years,
Tribal Settlement, Kattappana Sangeetha Junction,
Kattappana Village, Idukki District.

2. State of Kerala.

R1- No Vakkalath.

R2- By Adv. Sri. Saneesh S.S.
Public Prosecutor, Thodupuzha.

This Petition filed U/s. 430(1) of BNSS 2023 with a prayer to suspend the sentence against the petitioner in C.C.No.109/2020 of the Judicial First Class Magistrate Court -I, Kattappana and coming on for hearing before me on 18.08.2025 in the presence of the above counsel and the Court on the same day passed the following:

ORDER

Heard the counsel for the petitioner/appellant. Perused the memorandum of appeal and documents appended therewith. It appears that the petitioner/appellant is having an arguable case and hence, this

appeal is admitted. Therefore impugned sentence including order to pay fine/compensation is suspended on appellant executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like amount to the satisfaction of the trial court within a period of one month from the date of this order.

Further, the appellant is directed to deposit 20% of the amount of fine/compensation imposed by the impugned judgment before the trial court within a period of 60 days from today under section 148(1) of the Negotiable Instruments Act.

Non compliance of the condition shall have the effect of vacating the suspension of sentence by virtue of the dictum rendered by the Hon'ble Apex Court in **Surinder Singh Deswal v. Virender Gandhi** reported in **2020 (1) KLT 417 (SC)**.

Dictated to the confidential assistant, transcribed and typed by him and corrected and pronounced by me in open court on this the 18th day of August, 2025.

Sd/-
SASI KUMAR. P.S.
SESSIONS JUDGE

Copied by: Anjaly S. Nair
Compd by: Swapna Ayyappan