

**IN THE COURT OF SESSION, KASARAGOD DIVISION**

Present:-Sri.Ramu Ramesh Chandra Bhanu,Vacation Judge  
(Addl. District and Sessions Judge-II, Kasaragod)  
Monday, the 20<sup>th</sup> day of April, 2026

**Criminal M.P No.01 of 2026 in Cr1.Appeal No.93/2026**

Between:-

|                                                                                                                             |                           |
|-----------------------------------------------------------------------------------------------------------------------------|---------------------------|
| Nizamudheen.T.H, aged 30 years,<br>S/o.Hameed.T.M,<br>Star Nagar Thekkil, Thekkil Village<br>Thekkil Ferry Post, Kasaragod. | Petitioner/<br>Appellants |
|-----------------------------------------------------------------------------------------------------------------------------|---------------------------|

And

- |                                                                                                                                                                                                                                                                             |             |
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| 1) The Kasaragod Public Service<br>Co-operative Society Ltd.,<br>Rep. By its Secretary<br>Raghavan, aged 51 years,<br>S/o.Krishnan Nair,<br>Residing at Bellipady,<br>Muliyar Village and Post,<br>Kasaragod Taluk.<br><br>2) State:Rep. by Public Prosecutor,<br>Kasaragod | Respondents |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|

Petition filed by the petitioner u/s.430 of BNSS to stay the execution of sentence passed by the Judicial First Class Magistrate Court-III, Kasaragod in C.C.No.46/2023 dated 10.03.2026.

Petition was presented on : 10.04.2026

This petition coming on this day for hearing before me in the presence of Smt.Merin Joseph and Mohammed Harif.P.U, Advocates for Petitioner; Public Prosecutor for 2<sup>nd</sup> Respondent(State); the Court passed the following:

O R D E R

Heard.

2. At the hearing, Mr.Mohammed Harif P.U, the learned counsel appearing for the petitioner/appellant argued that the appellant has got good grounds to contest the matter in the appeal. He therefore prays for suspension of sentence imposed upon the appellant as per the impugned judgment.

3. Having gone through the facts and circumstances of the case and the nature of alleged transaction between the appellant and the complainant and the findings arrived at by the learned trial court, I am prima facie of the view that the offence punishable u/s 138 of Negotiable Instruments Act would attract against the appellant and therefore in order to suspend the sentence against the appellant, she shall deposit 20% of the fine amount before the trial court as per the impugned judgment. I order accordingly.

**In the result,** the execution of sentence against the petitioner/appellant in CC No.46/2023 on the file of Judicial First Class Magistrate-III, Kasaragod stands suspended on his executing a bond for ₹28,000/- (Rupees Twenty Eight Thousand only) with a solvent surety for the like sum, and also on his depositing 20% of the fine amount imposed upon him as per the impugned judgment before the trial court within a period of one month from today, however he shall execute bail bond within two weeks.

*Dictated to the Confidential Assistant, transcribed and typed by her, revised and corrected by me and pronounced on this the 20<sup>th</sup> day of April, 2026.*

**Sd/-  
VACATION JUDGE**

*//True copy//*

VACATION OFFICER

Typed by : Sajith Kumar.v  
Compared by : Rasiya Begum.T.H

Fair/ Copy of order in  
Criminal M.P.No.01/2026  
Crl.Appeal No.93/2026  
Dated: 20.04.2026