

**IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE,
CHENGALPATTU**

Present : Tmt.J.Mavis Deepika Sundaravadhana, M.A., M.L.,
Principal Sessions Judge, Chengalpattu.

Date: Tuesday, the 30th day of April 2024.

Crl.M.P. No.1167 of 2024 in Criminal Appeal No.38 of 2024
(CNR No.TNKP01-001810-2024)

Paulraj, aged 44 years, S/o.Savarimuthu Udayar,
No.19, P.G. Nagar, K.K. Nagar
Trichy – 600 021.

.. Petitioner/Appellant/Accused

//Versus//

State of Tamilnadu,
Rep. by the Inspector of Police,
Maraimalai Nagar Police Station,
Cr. No.803 of 2013

.. Respondent/respondent/Complainant

This petition is filed under section 389(3) of Cr.P.C. seeking suspend the execution of sentence imposed on the petitioner.

This petition coming on this day for final hearing before me, in the presence of M/s.Nagendra Prasath, the learned counsel for petitioner/appellant/accused, upon perusal of available records, this Court made the following

ORDER

This petition has been filed by the petitioner/accused prays to suspend the execution of sentence imposed on the petitioner in C.C. No.131/2015 dated 12.04.2024 passed by the learned Judicial Magistrate No.II, Chengalpattu pending disposal of appeal.

On perusal of records, it appears the trial Court passed Judgment, concluded the petitioner/accused (A1) found guilty of offences U/s.420, 467, 471 IPC, and not found guilty of offence U/s.406, 471, 506(ii) IPC, and acquitted from the above said offences. Further, the petitioner/Accused A1 is sentenced to undergo simple imprisonment for 2 years for the offence U/s.420 IPC; sentenced to undergo simple imprisonment for two years and to pay a fine

of Rs.10,000/-, in default to pay the fine, to undergo one month simple imprisonment for the offence U/s.467IPC; and further sentenced the accused to undergo simple imprisonment for two years and to pay a fine of Rs.10,000/-, in default to pay the fine, to undergo one month simple imprisonment for the offence U/s.471IPC. Further, ordered, the above three convictions shall run consequently, one after the other. Against the said conviction for the offences U/s.420, 467, 471 IPC, the Criminal Appeal as well as this petition has been filed by the petitioner/ Accused A1.

Heard and records perused.

The petitioner/accused preferred an appeal against the Judgment of conviction passed by the learned Magistrate, which would require a reasonable time to conclude. Now, it appears, the petitioner/appellant/accused is in prison. Therefore, considering the facts and circumstances, this Court is inclined **to suspend the sentence of imprisonment alone till the disposal of the appeal, with the following conditions:**

1. The petitioner/appellant/accused is ordered to be released on bail on his execution of bond for Rs.10,000/- with two sureties each for a like to the satisfaction of the Judicial Magistrate No.II, Chengalpattu.
2. Call this petition **on 11.06.2024**, for appearance of Appellant/ accused.

Pronounced by me in open Court on this the 30th day of April 2024.

Principal Sessions Judge,
Chengalpattu.

To
The Judicial Magistrate No.II, Chengalpattu.
The Superintendent, Central Prison, Puzhal, Chennai.