

IN THE COURT OF PRINCIPAL SESSIONS JUDGE , DINDIGUL.

**PRESENT: Thiru.P.GANESAN, B.A., B.L., L.L.M.,
Principal Sessions Judge (FAC), Dindigul.Dindigul.**

Wednesday the 03rd day of June 2026.

Crl.M.P. No.864/2026 in C.A. /2026
CNR No.TNDG01-002109-2026

Periyasamy,50/2026
S/o.Pondram

: Appellant/Accused

/vs/

1.Seenivasan,55/2026
S/o.Jeyaraman
2.State by Public Prosecutor,
Dindigul.

.. Respondent/Complainant

This petition came before this Court for final hearing today in the presence of Thiru.L.Kathiravan, the learned Counsel for the petitioner and of Thiru.R.Udhayanithi, In-Charge for the learned Public Prosecutor for the respondent and heard either side and on perusing all the records, this Court delivered the following.....

ORDER

1. The petition is filed U/S.430(1) of BNSS 2023 seeking suspension of sentence and release on bail.

2. Nitty-Gritty of the petition is as follows :-

The petitioner was tried for a charge u/s 138 of N.I. Act. After trial, the trial court found the petitioner guilty u/s 138 of N.I.Act. So the petitioner was convicted and sentenced to undergo 6 months simple imprisonment and to pay fine of Rs.4,00,000/- as compensation U/s 357(3) of Cr.P.C. payable within two months in default he shall undergo 2 months simple imprisonment as per the Judgment passed by learned Judicial Magistrate, Fast Tract Court at Magisterial Level, Palani in S.T.C.No.48 of 2022 dt.3.10.2025. Aggrieved over the same, the petitioner preferred the criminal appeal before this Court.

3. Heard both sides and records perused.

4. The point for determination is whether the sentence imposed on the petitioner can be suspended and be released on bail?

5. Answer :-

In S.T.C.No.48 of 2022 the trial court convicted the petitioner U/s 138 of N.I. Act and sentenced him to undergo six months simple imprisonment and to pay fine of Rs.4,00,000/- as compensation within two months in default to undergo 2 months simple imprisonment. The said Order and Judgment was passed by the trial court on 3.10.2025. It is seen from the records that the petitioner was on bail throughout trial before the trial court. Further there are arguable points in the appeal. Having considered the above grounds, I inclined to suspend the sentence having been passed upon the petitioner and to release him on bail. Accordingly the point is answered.

In fine, the sentence of six months simple imprisonment passed against the petitioner for offence U/s 138 of N.I.Act is suspended till disposal of criminal appeal. It is further ordered that the petitioner shall surrender before the learned Judicial Magistrate, Fast Tract Court at Magisterial Level, Palani within 15 days from the date of order. On being surrendered by the petitioner, the petitioner shall be released on bail on his executing a bond for a sum of Rs.15,000/- with two sureties each for like sum to the satisfaction of learned Judicial Magistrate, Fast Tract Court at Magisterial Level, Palani. As per conditional order passed by this Court in this Cr.M.P.No. 864/2026 dated 30.4.2026, the petitioner/appellant deposited 10% of the cheque amount before the learned Judicial Magistrate, Fast Tract Court at Magisterial Level, Palani on 1.6.2026 and he has filed the receipt for the same before this Court.

Pronounced by me in open Court this the 03rd day of June 2026.

**Principal Sessions Judge (FAC),
Dindigul.**

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The Additional District and Sessions Court, Palani.
The Fast Track Court (Judicial Magistrate), Palani.
The Public Prosecutor, Dindigul.
Thiru.L.Kathiravan, Counsel for the petitioner.

They are requested to download this order from the above said official web site link.