

**IN THE COURT OF JUDICIAL MAGISTRATE NO.I COURT
DINDIGUL**

PRESENT: Tr. S.PACKIARAJ, B.Sc., B.L.,

Judicial Magistrate No.1

Tuesday 17th day of March 2026

CrI.M.P.No.581/2026

in

C.C.No: 476/2019

S. Veerarajan (50/2019)

S/o. Subburayan,

Door No. 5/15,

Gurusamy Pillai street, Palani road,

Dindigul

Petitioner/Accused

R. Sivakumar (40/2019)

S/o. Late. Ramasamy raja,

T. Ramarajapuram,

Thimmananallur village,

Vembarpatti post,

Dindigul Taluk

Respondent/Complainant

ORDER

1) Heard both sides. Perused the entire materials available on record.

2) The present petition is filed Under Sec.430(3) of BNSS (389(3) of Crpc) to suspend the sentence of imprisonment ordered in above case. It was averred in the petition and the learned counsel for the accused submits that accused is found guilty under section 255(2) Cr.P.C for the offense under section 138 Negotiable Instruments Act Accused is convicted and sentenced to undergo Six month simple imprisonment and accused shall pay dishonored cheque amount of Rs. 2,00,000(Rupees Two Lakhs Only) as compensation to the complainant under section 357 Cr.P.C within Six month and in default of payment of the compensation, Accused shall undergo a further period of Six months simple imprisonment as default sentence. The accused is intended to prefer appeal against the said judgment and hence the present petition is filed.

3) Now the point to be decided is, whether the present petition is to be allowed or not?

4) Heard the learned counsel for the petitioner/accused. Considering the right of the accused to prefer appeal against the judgment and also considering the nature of the case and sentence passed in the present case, this court is inclined to suspend the sentence of imprisonment ordered to the accused on the following conditions:

- a) Sentence of imprisonment alone suspended till 15.04.2026
- b) Petitioner/Accused Shall execute a bond for a sum of Rs.10,000/-with 2 sureties for the like sum each
- c) Petitioner/Accused Shall appear before this court with appellate court order of suspension of sentence of imprisonment on or before 15.04.2026

Dictated to Steno Typist and typed directly in computer and Pronounced by me, in the open court, 17th day of March 2026.

Judicial Magistrate No.1
Dindigul.