

**IN THE COURT OF THE PRINCIPAL DISTRICT AND  
SESSIONS JUDGE, ERODE**

Present : Tmt. S. Sameena, B.A., L.L.B.,  
Principal Sessions Judge, Erode

Thursday, the 24<sup>th</sup> day of July, 2025

**MP No.1/2025  
in  
CA No.134/2025**

M. Imran (24),  
S/o. Mohammed Aabdeen,  
66/20, TELC Church Compound,  
B.P. Ahraharam,  
Erode District.

... Petitioner/Appellant/Accused

Vs

The state represented by  
Inspector of Police  
Erode Town Police Station.  
Cr. No.212/2024.

...Respondent/Respondent/Complainant

Petition dated: 19.07.2025 filed u/s 430(1) of BNSS prays to suspend the sentence passed by the learned Judicial Magistrate No.II, Erode, has convicted the accused in S.T.C. No. 614/2024, dt:18.07.2025.

This petition is coming on this day for hearing before me in the presence of the Tmt.S.Nathiya, Advocate for the petitioner/appellant/accused and upon hearing the petitioner's side argument, this court made the following:

**ORDER**

The learned Judicial Magistrate No.II, Erode has passed Judgment in CC.No.614/2024, dt:18.07.2025 by convicting the petitioner/Appellant/Accused under Sections s296 and 308(2) BNS and imposed him to pay fine of Rs.1000/- in default to undergo Simple Imprisonment for one week for the offence punishable u/s 296 BNS and also sentenced him to unergo Simple Imprisonment for one year for the offence punishable u/s 308(2) BNS.

The learned counsel for the petitioner/appellant/accused has submitted that, the sentences imposed against the petitioner is very high and petitioner is having good chances to succeed the appeal. Petitioner is on bail during the trial of the case. Further, petitioner has filed appeal on various grounds and it may be treated as part and parcel of this petition. Prays to suspend the sentence imposed against the petitioner till the disposal of the appeal.

The learned Public Prosecutor submitted that sentences imposed on the petitioner is proper.

After taking into consideration of the arguments of both sides and also on perusal of records it is found that Petitioner/Appellant/Accused was convicted for the offences under Sections 296 and 308(2) BNS. Further, as per petitioner, he is having arguable points regarding the punishment imposed against the Petitioner/Appellant/Accused. On perusal of records, it is seen that, the petitioner has filed the appeal on various grounds. The learned Public Prosecutor has not raised any serious objections. Considering all the above aspects and the facts and circumstances of the case, this Court is inclined to allow this petition.

In the result, the substantive sentence of imprisonment imposed on the Petitioner/Appellant/Accused alone is suspended till the disposal of the appeal and the petitioner shall be released on bail on condition that the Petitioner/Appellant/Accused shall execute a bond for Rs.10,000/- with two sureties for the like sum each to the satisfaction of the learned Judicial Magistrate No.II, Erode.

Pronounced by me in open court, this 24<sup>th</sup> day of July, 2025.

Principal Sessions Judge  
Erode

Copy to

1. Judicial Magistrate No.II, Erode
2. Tmt.S.Nathiya, Advocate, Erode