

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, PUDUKKOTTAI
PRESENT : Thiru.K.Poorana Jeya Anand, M.A., M.L.,
Principal Sessions Judge, Pudukkottai.
Friday the 31st day of October, 2025

Minscellaneous Petition No:2/2025 in CA.No.57/2025

Ganeshkumar , S/o. Rajagopal.

.....Petitioner/2nd Accused

/Versus/

State of Tamil Nadu represented by Inspector of Police
Ponnamaravathy Police Station,
Cr.No.60/2018.

... Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru. Solai.Muthaiah, Learned Advocate appearing for the Petitioner and the Learned Public Prosecutor Thiru.B.Venkatesan, on behalf of the Complainant and this Court passed the following,

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner u/s 430(3) of Bharatiya Nagarik Suraksha Sanhita (BNSS) - 2023, praying to suspend the sentence imposed on him by the District Munsif cum Judicial Magistrate, Ponnamaravathy in C.C.No.153/2023 dated 19.09.2025 till the disposal of the main appeal.

Heard both sides. Perused the records.

The Learned Counsel appearing for the petitioner contends that the petitioner has paid the entire fine amount and the trial court did not suspend the sentence and the petitioner is in jail and further submits that the petitioner was on bail throughout the trial period and he is having good ground for appeal and requests to enlarge the petitioner on bail and also suspend the sentence imposed on him.

The Learned Public Prosecutor submits as to leave it to discretion of the court.

On perusal of the judgment of the trial court, it reveals that the petitioner is convicted and sentenced to undergo sentence as follows:-

<u>Section of Law</u>	<u>Sentence</u>	<u>Fine</u>	<u>Default Sentence</u>
392 r/w.34 of IPC	R.I. for two years	Rs.1,000/-	S.I for two months

The fine amount has been paid by the petitioner and he was on bail during the time of trial and on the date of judgment the accused was absent and he is in custody. By considering all these facts and circumstances of the case, this court is of the view that the sentence imposed upon the petitioner can be suspended till the disposal of the appeal with the following conditions.

Accordingly, it is hereby ordered to be released on bail during the pendency of appeal on his executing personal bond for a sum of Rs.10,000/- with two sureties for a like sum to the satisfaction of the **Trial Court** concerned . On furnishing bail bond ,the operation of the sentence of imprisonment shall remain suspended til the disposal of the appeal and he should appear before this Court at 10.30 a.m. on 01.12.2025 and thereafter on subsequent hearing dates without fail.

Pronounced by me in Open Court, this the 31st day of October'2025.

**Principal Sessions Judge,
Pudukkottai.**

Copy to

The District Munsif cum Judicial Magistrate, Ponnamaravathy.
The Inspector of Police, Ponnamaravathy P.S.,
The Counsel for the petitioner.