



IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, SIVAGANGAI.

PRESENT: Tmt.K.Arivoli, M.A.,M.L.,

Principal Sessions Judge, Sivagangai.

Thursday, the 02nd day of July - 2026

Cr.M.P.No.1488/2026 in CA.64/2026

(CNR No.TNSV01002193-2026)

* * * * *

Azhagappan, S/o.Chidambaram,

... Petitioner/Appellant/Accused

Vs.

R.Ramaiah

... Respondent/ Complainant

This petition coming on this day for final hearing before me in the presence of Thiru.C.Chindhen, Advocate for the Petitioner/Appellant and after hearing petitioner's side and perusing the records, this court delivers the following :

ORDER:-

1. This petition has been filed u/s.430(1) of B.N.S.S., for suspension of sentence imposed on the petitioner by the trial Court.
2. It has been stated in the petition that the petitioner has been convicted by the Judicial Magistrate, Fast Track Court, Karaikudi, for an offence punishable u/s.138 Negotiable Instruments Act in C.C.No.28/2025 on 22.05.2026 and he has been sentenced to undergo 1 year simple imprisonment and directed to pay the amount of Rs.35,00,000/- as compensation to the complainant within one month in default of

02.07.2026

Principal Sessions Judge, Sivagangai



payment of compensation amount to undergo further one week simple imprisonment u/s.357(3) of Cr.P.C. No fine was imposed. The trial court was pleased to suspend the sentence. The petitioner is having valid chance of success in the appeal. In the said circumstances, unless the sentence and conviction passed by the trial Court in C.C.No.28/2025 on 22.05.2026 is suspended, the petitioner will be put into great loss and hardship and hence prays for suspension of sentence till the disposal of the appeal.

3. The petitioner counsel given orally undertaking to that effect that he is willing to deposit 20% of the compensation amount. By recording the said undertaking and on perusal of the grounds of appeal. Therefore, this Court is inclined to suspend the sentence by taking into consideration the fact that the appellant was all along on bail and the sentence was suspended by the trial Court and he was regularly appearing. Considering the reasons stated in the grounds of appeal, this Court is inclined to suspend the sentence imposed by the trial Court, on the following condition.

In the result, ***this petition is allowed*** and the sentence imposed on the petitioner is suspended till the disposal of the appeal on condition that the petitioner shall execute a bond for Rs.10,000/- with two sureties each for the like sum to the satisfaction of the Judicial Magistrate, Fast Track Court, Karaikudi and with a further condition that the petitioner shall deposit 20% of the compensation awarded by the trial Court within 30 days from the date of this order, on failure to do so, the petition shall stand dismissed. The trial Court should ensure that the 20% compensation amount deposit is paid by the petitioner within the time stipulated, if not the trial Court has to report the non - compliance and shall proceed further to secure the accused.

02.07.2026

Principal Sessions Judge, Sivagangai



.3.

CrI.M.P.1488/2026 in CA.64/2026

Appellant should appear on all hearing dates before the appellate Court and on their failure to appear he will be secured on NBW. He shall appear on all hearing dates and shall co-operate for the early disposal of the appeal.

Given by me, this the 02nd day of July – 2026.



S/d.K.Arivoli
Principal Sessions Judge,
Sivagangai.

/t.c.f.b.o./

[Signature]
Sherishtadar, 2/7/26
Principal District Court,
Sivagangai.

Copy to:

1. The Judicial Magistrate, Fast Track Court, Karaikudi.
2. Counsel for the accused.

D.no. 4434

02.07.2026.

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Principal Sessions Judge, Sivagangai

