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M.P.No.01/2026 in
C.A.No.54/2026

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THENI.

Present : Thiru. Swarnam J. Natarajan, M.L.,

Principal Sessions Judge, Theni.

Wednesday, this the 25th day of March - 2026

M.P.No.01/2026 - In -

C.A.No.54/2026

CNR.No.TNTH01-000798-2026

S. Dillip Raja

S/o. Sahul Hammed

... Petitioner/Appellant/Accused

-Vs -

1. Kalima Banu

W/o. Dillip Raja

2. Minor. D. Sahina Banu

D/o. Dillip Raja

(The 2nd respondent represented through
her mother / 1st respondent)

... Respondent /Complainant

This petition coming on this day for final hearing before me in the presence of Thiru. K. Gopalakrishnan, Advocate for the Petitioner and Thiru. V. Sadamayan, Advocate for the Respondents after hearing both sides and perusing the records, this Court delivers the following :

ORDER

1. This petition has been filed u/s.430(1) B.N.S.S., for suspension of sentence imposed on the petitioner by the trial Court.

25.03.2026

Principal Sessions Judge, Theni.



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2. It has been stated in the petition that the petitioner has been convicted by the **Judicial Magistrate, Uthamapalayam** for the offence punishable u/s.31 of the Prevention of Women from Domestic Violence Act against the petitioner and the petitioner has been convicted and sentenced to undergo one year simple imprisonment and imposed fine of Rs.20,000/- and in default of payment of the fine amount, to further undergo three months simple imprisonment for the offence for the offence u/s.31 of the Prevention of Women from Domestic Violence Act and in default of payment of the fine amount, to further undergo one month simple imprisonment. Fine amount paid. 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 **S.T.C.No.663/2024 dated 17.02.2026** is suspended, the petitioner will be put into great loss and hardship and hence pray for suspension of sentence till the disposal of the appeal.

3. During trial the petitioner was on bail throughout the proceedings. The trial court has suspended the sentence of the accused in M.P.No.13/2026 in S.T.C.No.663/2024 by invoking powers. 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.



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M.P.No.01/2026 in
C.A.No.54/2026

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, Uthamapalayam**. The Appellant should appear on all hearing dates before the appellate Court and on his 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 25th day of March - 2026.

**Principal Sessions Judge,
Theni.**

Copy to :-

1. The Judicial Magistrate, Uthamapalayam.
2. The Public Prosecutor, Theni.
3. Counsel for the accused.

25.03.2026

Principal Sessions Judge, Theni.