



IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THENI.

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

Principal Sessions Judge, Theni.

Friday, this the 28th day of March - 2025

M.P.No.01/2025 - In -

C.A.No.40/2025

CNR.No.TNTH01-001075-2025

Raja S/o. Chinnasamy

... Petitioner/Appellant/Accused

-Vs -

State Rep. by
The Inspector of Police,
Vaigaidam Police Station,
(Cr.No.178/2006)

... Respondent /Complainant

This petition coming on this day for final hearing before me in the presence of Thiru. C. Jakkaiyan, Advocate for the petitioner and Thiru. P. Baskaran, Public Prosecutor for the State, 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.

2. It has been stated in the petition that the petitioner has been convicted by the **Judicial Magistrate, Aundipatti** for the offence punishable



u/s.337, 338 and 304(A) IPC against the petitioner and the petitioner has been convicted and sentenced to undergo six months simple imprisonment for the offence u/s.337 IPC and to undergo one year simple imprisonment for the offence u/s.338 IPC and to undergo two years simple imprisonment for the offence u/s.304(A) IPC. 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.130/2006 dated 27.02.2025** 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 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.

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, Aundipatti**. 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 28th day of March - 2025.

**Principal Sessions Judge,
Theni.**

Copy to :-

1. The Judicial Magistrate, Aundipatti.
2. The Public Prosecutor, Theni.
3. The Inspector of Police, Vaigaidam Police station.
4. Counsel for the accused.