

**In the Court of the III Additional District & Sessions Judge,
Dharapuram.**

**Present: Thiru.C.M.Saravanan.BA.,L.L.M.,
III Additional District & Sessions Judge, Dharapuram.**

Wednesday, the 13th day of August, 2025

Cr.M.P.No.2 / 2025

in

C.A.No. 120/ 2025

1. Sagulhammeed(27)
S/o. Allah Pichai
- 2.Mohamed Sathik Batcha @ Sathik Ali (22)
S/o.Allah Pichai

... Petitioners/Appellants / Accuseds

Vs.

1. The State Represented by
The Additional Public Prosecutor, Dharapuram.
2. The State rep. by
The Inspector of Police,
Kangeyam Police station,
Cr.No. 86/2022

... Respondents /Complainant

This Petition came before this Court for the final hearing on 13.08.2025 in the presence of Thiru.M.Arunkumar, Advocate for the Appellants/Accused and Thiru.K.M.Manivannan, Additional 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) of BHARATIYA NAGARIK SURAKSHA SANHITA 2023 for suspension of sentence imposed on the petitioner by the trial Court.

13.08.2025

III ADJ, DPM

2) Gist of the petition:-

It has been stated in the petition that the petitioner is convicted by the learned Assistant Sessions Court, Kangeyam for the offence punishable u/s. 295 of IPC and 3(1) TNPPDL Act in S.C.No.318/2023 on 11.03.2025 and he has been sentenced to undergo Rigorous Imprisonment for 2 Years and fine of each Rs.1,000/- for the offenses under section 295 of IPC for the accused 1 and 2. Rigorous imprisonment for 5 years and fine of each Rs.5,000/- for the offenses under section 3(1) TNPPDL Act for the accused 1 and 2. The petitioners are in prison. The petitioners are having valid chance of success in the appeal. In the said circumstances, unless the sentence and conviction passed by the trial Court in S.C.No.318/2023 dated 11.03.2025 is suspended, the petitioners will be put into great loss and hardship and hence prays for suspension of sentence till the disposal of the appeal.

The learned additional public prosecutor would contend that the sentence may be suspended with stringent condition. Therefore, considering the submission made by both parties, this court inclined to suspend the sentence imposed by the trial Court and to grant the bail on the following conditions.

In the result, this petition is allowed and the sentence imposed on the petitioners are suspended till disposal of this appeal and the petitioners are released on bail on condition that to execute a bond for Rs.10,000/- with 2 sureties each for the like sum to the satisfaction of the learned Assistant Sessions Court, Kangeyam. The Appellants should appear on all hearing dates before the appellate Court. The petitioners shall appear on all hearing dates and shall co-operate for the early disposal of the appeal.

Given by me, this the 13th day of August 2025.

III Additional District & Sessions Judge,
Dharapuram.

Copy to:

1. The Assistant Sessions Court, Kangeyam.
2. The Additional Public Prosecutor, Dharapuram.
3. Counsel for the Appellant/Accused

