

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THANJAVUR.
PRESENT: Thiru.P.Velmurugan, B.A.,B.L.,
Principal Sessions Judge, Thanjavur
Thursday the 16th day of April, 2026
Criminal Miscellaneous Petition No.2399/2026 in C.A.No,68/2026
{CNR No: TNTJ01-0006142026}

Vignesh, S/o.Venkatesh

....Petitioner/ Accused

/ versus /

State of Tamil Nadu represented by Inspector of Police
Kumbakonam West Police Station,
Cr.No.4/2020

...Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru.R.P.Veerasekar, Learned Advocate appearing for the petitioner and the Learned Public Prosecutor Thiru.S.Sathiamoorthy, 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(1) of Bharatiya Nagarik Suraksha Sanhita (BNSS) - 2023, praying to enlarge him on bail and also suspend the sentence imposed on him by the Judicial Magistrate No.I, Kumbakonam in C.C.No.114/2020 dated 17.04.2025 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 from 17.04.2025 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 of IPC	R.I. for three years	Rs.5000/-	S.I. for one week

It is further revealed from the judgment that the period of detention undergone by the petitioner during the trial is ordered to be set off u/s 468 of BNS. The fine amount has been paid by the petitioner.

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.

- 1) The petitioner is ordered to be released on bail during the pendency of appeal on his executing a personal bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the Jurisdictional Magistrate,
- 2) Further, the petitioner is directed to appear before the **Additional District & Sessions Court, Kumbakonam**, at 10.30 a.m. on 01.06.2026 in the main appeal.
- 3) The petitioner is directed to file a memo before the concerned appellate court on the above said day in respect of compliance of the 1st condition before the trial court,
- 4) Only after compliance of the above said 1st condition, the operation of the sentence of imprisonment shall remain suspended till the disposal of the appeal,
- 5) For compliance of the 3rd condition, this petition stands posted to 01.06.2026 for calling before the above said Appellate Court.

Pronounced by me in Open Court, this the 16th day of April, 2026.

Principal Sessions Judge,
Thanjavur.

Copy to:

The Additional District and Sessions Judge, Kumbakonam
The Judicial Magistrate No.I, Kumbakonam
The Counsel for the petitioner.