

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THANJAVUR.
PRESENT: Thiru.P.Velmurugan, B.A.,B.L.,
Principal Sessions Judge, Thanjavur
Thursday the 26th day of March, 2026
Criminal Miscellaneous Petition No.2118/2026 in C.A.No.57/2026
{CNR No: TNTJ01-0026792026}

1) Kabali @ Tamilarasan, S/o. Abimannan
2) Aravinth, S/o. Manikandan,

....Petitioners/
Appellants/Accused

/ versus /

State of Tamil Nadu represented by Inspector of Police
Sengipatti Police Station,
Cr.No.17/2026

...Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru. M. Vasudevan, Learned Advocate appearing for the petitioners 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 petitioners / Appellants / A1 & A2 u/s 430(1) of BNSS, praying to enlarge them on bail and also suspend the sentence imposed on them by the Judicial Magistrate No.III, Thanjavur in C.C.No.39/2026 dated 10.03.2026.

Heard both sides. Perused the records.

The Learned Counsel for the petitioners / appellants submitted that the petitioners have been convicted by the trial court and they have paid the fine amount and the trial court did not suspend the sentence and they are in jail from 01.02.2026. Further, it is submitted that the petitioners were under judicial custody throughout the trial period and they are having good ground for appeal and requests to enlarge the petitioners on bail and also suspend the sentence imposed on them.

The Learned Public Prosecutor leaves the matter to the discretion of the court.

On perusal of the judgment of the trial court, the petitioners were convicted and sentenced to undergo as follows:

<u>Petitioners / Appellants / A1 & A2</u>			
u/s	Sentence	Fine in Rs.	I/d
331(4) of BNS	RI for two years each	Rs.1000/- each	SI for one month each
305 of BNS	RI for two years each	Rs.1000/- each	SI for one month each

1) Sentences are ordered to be run concurrently.

2) The detention period already undergone during the trial period is ordered to be set off u/s 468 of IPC.

It is further revealed from the records that the petitioners were under judicial custody throughout the trial period and the sentence was not suspended by the trial court. It is further revealed from the records that the entire fine amount has been paid by the petitioner.

Now, the petitioners / appellants have preferred a Criminal Appeal and the same is taken on file in C.A.No.57/2026.

By considering all these facts and circumstances of the case, this court is of the view that the sentence imposed upon the petitioners can be suspended till the disposal of the appeal.

In the result, this petition is allowed with the following conditions.

1) The petitioners are ordered to be released on bail during the pendency of appeal on their executing a personal bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the Jurisdictional Magistrate/ Trial Court.

2) On furnishing bail bond, the operation of the sentence of imprisonment shall remain suspended till the disposal of the appeal.

3) Further, the petitioners are directed to appear before the II Additional District and Sessions Judge, Thanjavur at 10.30 A.M. on 27.04.2026 and thereafter on subsequent hearing dates without fail.

4) 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,

5) For compliance of the 4th condition, call on 27.04.2026 before the said Appellate Court.

Pronounced by me in Open Court, this the 26th day of March, 2026.

Principal Sessions Judge,
Thanjavur.

Copy to:
II Additional District and Sessions Judge, Thanjavur

The Judicial Magistrate No.III, Thanjavur.
The Counsel for the petitioner.