

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THANJAVUR.
PRESENT: Thiru.P.Velmurugan, B.A.,B.L.,
Principal Sessions Judge, Thanjavur
Wednesday the 29th day of April, 2026
Criminal Miscellaneous Petition No.2704/2026 in C.A.No.75/2026
{CNR No: TNTJ01-0038082026}

Karthikeyan, S/o.Jayaraman

....Petitioner/ Appellant

/ versus /

State of Tamil Nadu represented by Inspector of Police
Thanjavur C.C.I.W CID East Police Station,

...Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru.P.Lenin, 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 petitioner u/s 430(1) of Bharatiya Nagarik Suraksha Sanhita (BNSS) - 2023, praying to suspend the sentence imposed on him by the Chief Judicial Magistrate, Kumbakonam in C.C.No.209/2010 dated 10.04.2026 till the disposal of the main appeal.

Heard both sides. Perused the records.

The Learned Counsel appearing for the petitioner submits that the petitioner has paid the entire fine amount and he was on bail during the time of trial and interim suspension of sentence has been ordered by the trial court and further submits that the petitioner has got a good arguable case in the appeal and prays for suspension of sentence imposed on him by the lower court till the disposal of the appeal.

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>
408 of IPC	S.I. for three years	Rs.5000/-	S.I. for three months
477(A) of IPC	S.I. for three years	Rs.5000/-	S.I. for one month

It is further revealed from the judgment that the sentences are ordered to run concurrently. The detention period during the trial is ordered to be set off u/s 428 of Cr.P.C. 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 directed to execute an own bond for Rs.10,000/- with two sureties for a like sum each within 30 days from today 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,
- 2) Only after compliance of the above said conditions, the operation of the sentence of imprisonment shall remain suspended till the disposal of the appeal, failing which, this order shall stand cancelled automatically.
- 5) In the event of failing to comply with the said conditions or to file any time extension petition, the Appellate Court concerned shall direct the trial court concerned to issue NBW as against the petitioner for the purpose of serving the sentence ordered in the judgment of the trial court.
- 6) For compliance of the conditions 1 & 3, this petition stands posted to 01.06.2026 for calling before the above said Appellate Court.

Pronounced by me in Open Court, this the 29th day of April, 2026.

Principal Sessions Judge,
Thanjavur.

Copy to:

The Additional District and Sessions Judge, Kumbakonam
The Chief Judicial Magistrate, Kumbakonam
The Counsel for the petitioners.