

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THANJAVUR.
PRESENT: Thiru.P.Velmurugan, B.A.,B.L.,
Principal Sessions Judge, Thanjavur
Tuesday the 17th day of March, 2026
Criminal Miscellaneous Petition No.1159/2026 in C.A.No.37/2026
{CNR No: TNTJ01-0087912025}

Sudhakar, S/o. Karikalan

....Petitioner/ Accused

/ versus /

State of Tamil Nadu represented by Inspector of Police
Natchiyarkoil Police Station,

...Respondent/Complainant

This petition coming on this day before me for hearing in the presence of Thiru.S.Vincent, 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 Chief Judicial Magistrate, Kumbakonam in S.C.No.224/2023 dated 23.05.2025 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 the trial court did not suspend the sentence and the petitioner is in jail from 13.05.2025 and further submits that the petitioner has got a good arguable case in the appeal and prays to release him on bail and 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>
307 of IPC	R.I. for five years	Rs.5000/-	S.I. for six months

It is further revealed from the judgment that the detention period during the trial is ordered to be set off u/s 468 of BNS. It is further revealed from the records that 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 17.04.2026 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 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) For compliance of the conditions 1 & 3, this petition stands posted to 17.04.2026 for calling before the above said Appellate Court.

Pronounced by me in Open Court, this the 17th day of March, 2026.

Principal Sessions Judge,
Thanjavur.

Copy to:

The Additional District and Sessions Judge, Kumbakonam
The Chief Judicial Magistrate, Thanjavur at Kumbakonam
The Counsel for the petitioner.